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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-20957-2024

Date of decision: 29.04.2024

Shashi Pal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sankalp Gehlawat, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 28.04.2021 Annexure P-1 vide which the petitioner was declared a proclaimed offender in criminal complaint case No.5022/2018 titled Chollamandlam Investment and Finance Limited Vs. Shashi Pal under Section 138 of Negotiable Instruments Act and FIR No.614 dated 10.10.2021 Annexure P-2, registered under Section 174-A IPC, at Police Station Karnal Civil Lines.

2. The counsel for the petitioner submits that after passing of impugned order Annexure P-1, petitioner effected compromise with Chollamandlam Investment and Finance Limited and consequently, the aforesaid criminal complaint titled Chollamandlam Investment and Finance Limited Vs. Shashi Pal was dismissed as withdrawn by the Court of Judicial Magistrate Ist Class, Karnal vide order dated 27.03.2024 Annexure P-4. It is further submitted that as the entire payment was made by the petitioner to aforesaid finance company, the said company also issued no objection certificate Annexure P-3. The counsel for the petitioner further submits that as the main criminal

complaint is already dismissed as withdrawn, impugned order Annexure P-1 dated 28.04.2021 and FIR Annexure P-2 dated 10.04.2021 are not sustainable and deserve to be set aside.

3. Notice of motion.

4. Mr. Neeraj Sheoran, DAG, Haryana accepts notice on behalf of the State and submits that the present petition be disposed of, in light of Annexure P-3 and Annexure P-4.

5. In light of the above, it is evident that previously, petitioner was declared as proclaimed person vide order dated 28.04.2021 Annexure P-1 in criminal complaint No.5022/2018 titled Chollamandlam Investment and Finance Limited Vs. Shashi Pal and resultantly, FIR Annexure P-2 was registered against petitioner under Section 174-A IPC. It is evident that subsequently, now matter has been compromised between the parties and aforesaid criminal complaint is dismissed as withdrawn vide order dated 27.03.2024 Annexure P-4 and finance company also issued NOC Annexure P-3 in favour of the petitioner. It being so, the impugned order Annexure P-1 and FIR Annexure P-2 being offshoot of the aforesaid criminal complaint are unsustainable and deserve to be set aside.

6. For the foregoing reason, the present petition is hereby allowed and impugned order Annexure P-1 dated 28.04.2021 and FIR No.614 dated 10.10.2021 Annexure P-2 registered under Section 174-A IPC at Police Station Civil Lines, Karnal are hereby set aside, qua the petitioner.

7. The present petition stands disposed of in aforesaid terms.

29.04.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**