



122

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

**CRM-M-21678-2024 (O&M)  
DATE OF DECISION: 24.07.2024**

**SACHIN JAIN**

**...PETITIONER**

**Versus**

**STATE OF HARYANA AND ANOTHER ... RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Vishal Gupta, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

\*\*\*

**SANDEEP MOUDGIL, J (ORAL)**

This petition has been filed under Section 482 Cr.P.C. for quashing of impugned FIR No. 830 dated 18.05.2023 registered under Sections 174-A of the IPC at P.S. Karnal Civil Lines, District Karnal and all other subsequent proceedings in pursuance thereof.

2. The factual matrix of the present case are that respondent No.2 filed a complaint bearing NACT No. 828 of 2021 under Section 138 of the Negotiable Instruments Act against Ms. Oswal Krishi Yantra and the present petitioner is the proprietor of Ms/ Oswal Krishi Yantra. The petitioner was declared as Proclaimed Person in the complaint filed by respondent No. 2 vide order dated 29.10.2022 (Annexure P-1) Thereafter, FIR (Annexure P-2) was registered against the petitioner. On 22.06.2023, the petitioner was released on bail by the Court.

3. Now the petitioner and respondent No. 2 have amicably settled the dispute and a settlement has been arrived at between the



CRM-M-21678-2024

-2-

parties and respondent No.2 has withdrawn the complaint filed under section 138 of NI Act on 30.03.2024 by making a statement (Annexure P-7) that matter has been compromised between the parties and complaint filed by respondent No. 2 was dismissed as withdrawn on 30.03.2024 (Annexure P-8). It is submitted that no useful purpose would be served by prosecuting the petitioner in the instant FIR once the dispute stands settled by the parties and continuation of further proceedings would be an abuse of process of law.

5. Learned counsel for the petitioner has placed reliance upon the orders dated 20.07.2022 and 24.08.2022 respectively, passed by a coordinate Bench of this Court in CRM-M-46062-2017, titled as ***“Jatin Dhawan & Another Vs. State of Haryana and Another”*** and CRM-M- 12534-2022, titled as ***“Krishan Kumar versus State of Haryana & Another”***, wherein it has been held that once the main case is dismissed as withdrawn the continuation of proceedings under Section 174-A IPC shall be an abuse of process of law.

6. Learned State Counsel has opposed the prayer while submitting that the non-appearance of the petitioner before the Trial Court in pursuance to the summoning order was intentional, with a purpose to delay the proceedings.

7. I have heard learned counsel for the parties and gone through the paper book.

8. Once, the complaint under the Act of 1881 stands withdrawn by the complainant, no useful purpose is going to be served



CRM-M-21678-2024

-3-

by carrying on with the proceedings arising out of the present FIR.

9. Accordingly, the petition is allowed and impugned FIR No. 830 dated 18.05.2023 registered under Sections 174-A of the IPC at P.S. Karnal Civil Lines, District Karnal and all other subsequent proceedings in pursuance thereof are ordered to be quashed qua the petitioner.

10. Since the main case is allowed, pending application, if any stands disposed of.

(SANDEEP MOUDGIL)  
JUDGE

24.07.2024  
anuradha

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |