

2024:PHHC:066480



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22338 of 2024(O&M)
Date of Decision: 13.05.2024

Dharampal Lohan ...Petitioner
Versus
State of Haryana & Anr. ...Respondents

CORAM :HON’BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sant Lal Barwala, Advocate
For the petitioner.

Mr. Neeraj Sheoran, DAG Haryana

Mr. Satnam Singh Sisodia, Advocate
For respondent No.2.

KARAMJIT SINGH, J.

1. The present petition has been filed by petitioner seeking quashing of FIR No. 608 dated 27.07.2023 (Annexure P-2) registered under Section 174-A IPC at Police Station City, Hisar.
2. The counsel for the petitioner submits that respondent No.2 filed criminal complaint CIS No. 1743 of 2020, titled K.P. Sales, Hisar Vs. Dharampal Lohan, under Section 138 of Negotiable Instruments Act, wherein the petitioner was summoned and finally declared proclaimed person which resulted into registration of FIR (Annexure P-2) against the petitioner. It is further submitted that subsequently matter has been compromised between the parties and the aforesaid criminal complaint was dismissed as withdrawn vide order dated 06.07.2023 (Annexure P-4). It is further submitted that the impugned FIR (Annexure P-2) being result of the

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aforesaid criminal complaint deserves to be quashed as the main case has already been finally disposed of.

3. Notice of motion.

4. Mr. Neeraj Sheoran, DAG Haryana accepts notice on behalf of respondent No.1/ State and submits that the dispute between the two private parties and that the present petition be disposed of by taking into consideration the fact that the matter has been settled between the private parties.

5. Mr. S.S. Sisodia, Advocate has put in appearance on behalf of respondent No.2 and admitted the factum of compromise and further admitted that the main criminal complaint filed by respondent No.2 is withdrawn vide order dated 06.07.2023 (Annexure P-4) on the basis of aforesaid compromise. Further he is having no objection if the impugned FIR is quashed.

6. In light of the above, as the main criminal complaint has already been decided on the basis of compromise effected between the parties, the continuation of FIR (Annexure P-2) will amount to abuse of process of law and that of Court. Consequently, the present petition is hereby allowed and impugned FIR No. 608 dated 27.07.2023 (Annexure P-2) registered under Section 174-A IPC at Police Station City, Hisar is hereby quashed qua the petitioner.

(KARAMJIT SINGH)
JUDGE

13.05.2024
Jiten

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No