

2024:PHHC:067905



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

125 CRM-M-23741-2024
Decided on: 14.05.2024

Jatin Dilipbhai JaniPetitioner

Vs.

State of Haryan and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kriteka Sheokand, Advocate and
Mr. Deepak Jaglan, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

ANOOP CHITKARA J.

Criminal Complaint	No.NACT-2808, under Section 25 of Payment and Settlement System Act 2007
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Seeking quashing of proclamation order dated 07.03.2020, passed by the JMIC Gurugram (Annexure P-6) the accused has come up before this court under Section 482 CrPC.

2. After failure of Electronic Clearance Instructions, by the petitioner favouring the complainant/respondent, the second respondent had filed a complaint against the petitioner under Section 25 of Payment and Settlement Act 2007.
3. The accused could not be served through the ordinary process, including summons, bailable warrants, and even non-bailable warrants. The concerned court finally proceeded against the petitioner under section 82 of CrPC and declared the petitioner a proclaimed offender vide aforesaid order.

2024:PHHC:067905



4. After issuance of proclamation, the matter got settled between the parties. Complaint stands dismissed as withdrawn vide order dated 09.12.2023 passed by the Presiding Officer, National Lok Adalat, Gurugram.

5. In paragraph 6 of the petition, the petitioner explains the reasons of non-appearance. I am satisfied with the explanation offered. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary under section 82 CrPC. Consequently, in the facts and circumstances peculiar to this case, the petition is allowed, the above captioned impugned order dated 07.03.2020, is quashed. Since the consequent proceedings i.e. FIR, if any, registered pursuant to the impugned order is not under challenge, as such, this Court is not adjudicating that in this petition.

Petition allowed. Liberty reserved to file a separate petition for quashing of FIR under section 174-A of IPC if any registered pursuant to the order dated 07.03.2020. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

14.05.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.