



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

287-2

CRM-M-24797-2024

Date of decision: 30.07.2024

Mithlesh Kanaujiya

...Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Aanand Kumar Maurya, Advocate for the petitioner.
Ms. Ankita Ahuja, AAG Haryana.

SUMEET GOEL, J. (Oral)

1. The substantial prayer made in the instant petition is as follows:

“It is therefore, respectfully prayed that kindly accept the present application for quashing of Non-Bailable Warrant order dated 12.04.2024 (Annexure P-3) and subsequent order dated 07.05.2024 (Annexure P-4) which is passed by Ld. Trial Court, Additional Sessions Court, Panchkula during trial of case registration No. "SC-1 of 2023" registered on dated 03.01.2023 titled as 'state vs. Mithlesh' arising from FIR No. 249 u/s- 376, 506 of IPC dated 01.05.2022 at police station Pinjore District Panchkula Haryana (Annexure P-1). ”

2. On 18.05.2024, the following order was passed:

“Inter alia contends that the petitioner could not enter appearance before the concerned trial Court on 12.04.2024 as a wrong date was noted by the petitioner & petitioner is willing to enter appearance before the concerned Court on the next date of hearing (which is stated to be 27.07.2024) as also continue to appear thereafter.

Notice of motion for 30.07.2024.

Operation of the impugned orders dated 12.04.2024 and 07.05.2024 passed by Additional Sessions Judge, Panchkula are stayed till the next date of hearing subject to the petitioner entering appearance before the trial Court on 25.07.2024 or on any date before that & subject



to the petitioner continue to appear on all subsequent dates fixed by the trial Court.”

- 3. Learned counsel for the petitioner has submitted that the petitioner has entered appearance before the trial Court in terms of order dated 18.05.2024.
- 4. Vide order of even date i.e. 30.07.2024 passed in CRM-M-28781-2024 titled as *Mithlesh Kanaujiya vs. State of Haryana and another*, the FIR in question as also all proceedings emanating therefrom stand quashed in view of statement/compromise having been entered into between the parties.
- 5. Keeping in view the entirety of the facts and circumstances of the case including the fact that the petitioner has entered appearance before the concerned Court in terms of order dated 18.05.2024 as also the fact that the FIR in question itself stands quashed (on the basis of compromise); the instant petition is allowed and the impugned orders dated 12.04.2024 (Annexure P-3) and the subsequent order dated 07.05.2024 (Annexure P-4) passed by Additional Sessions Judge, Panchkula are quashed.
- 6. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

July 30, 2024
Ajay

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