



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

134

CRM-M-27529-2024 (O&M)
Date of order: 28.05.2024

Sameer Suri
... Petitioner(s)
Versus
State of Punjab & another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ravi Chadha, Advocate
for the petitioner(s).

Ms. Swati Batra, DAG, Punjab (through VC)

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
223	13.9.2021	Civil Lines, Amritsar	174A IPC

Seeking quashing of aforesaid FIR as well as proclamation order dated 11.8.2021 passed by the Ld. JMIC, Amritsar, the accused has come up before this court under Section 482 CrPC.

2. After failure of the petitioner to pay back the loan, the complainant/respondent-bank had filed a complaint against him under section 138 of the Negotiable Instruments Act, 1881.
3. Notice served upon the official respondent through the State’s counsel. Given the facts of the case, no response from the State is required.
4. 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.



5. After issuance of proclamation, the matter got settled between the parties and the respondent no.2-Bank withdrew its complaint vide order dated 14.5.2022 (Annexure P-3).

6. In paragraph 3 of the petition, the petitioner explains that it was due to non-receipt of summoning notice, that he could not appear as he was never served.

7. In the case's factual background, I am satisfied with the explanation offered. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC. Consequently, in the facts and circumstances peculiar to this case, the petition is allowed, the above captioned impugned order Annexure P-1, dated 11.8.2021 and the FIR mentioned above, are quashed. Bail bonds/surety bonds, if any, furnished, stands discharged. All pending warrants stand canceled, and further proceedings are quashed.

Petition allowed. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

May 28, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No