

(120)

2024:PHHC:002521

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

CRM-M-44426 of 2023 (O&M)

Date of Decision: January 10, 2024

Parmod Kumar

...Petitioner

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. D.P.S. Joura, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C has been made for quashing of FIR No.121 dated 03.02.2023 registered under Section 174-A IPC at Police Station Civil Lines Sirsa, District Sirsa (Annexure P.3) and all consequential proceedings arising therefrom.

It is contended by learned counsel for the petitioner that the matter has since been compromised amongst the parties in the complaint under Section 138 of the Negotiable Instruments Act and that complaint was dismissed as withdrawn on the basis of compromise vide order dated 06.07.2023 (Annexure P.4). Learned counsel further submits that payment in accordance with the compromise, has already been made to the complainant.

However, it is conceded by learned counsel that trial in case FIR No.121 dated 03.02.2023 under Section 174-A IPC is going on. Learned counsel prays to dispose of this petition by giving direction to the trial Court to consider imposing of fine under Section 174-A IPC instead of sentencing him to imprisonment.

In view of the afore-said request, this petition is disposed of with the direction that petitioner will be at liberty to plead guilty in case under Section 174-A IPC before the trial Court. Upon his such pleading guilty, the trial Court will sympathetically consider sentencing the petitioner only for payment of fine under Section 174-A IPC considering the facts and circumstances of the case and that the matter has since been compromised between the parties.

January 10, 2024

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(DEEPAK GUPTA)

JUDGE

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