

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-48923-2024
Reserved on: 01.10.2024
Pronounced on: 04.10.2024

Shrikant Verma ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.S.Ahluwalia, Advocate and
Mr. Jaiveer Sandhu, Advocate
for the petitioners.

Ms. Harpreet Kaur, A.A.G., Haryana.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
1217	01.09.2018	Panipat City, District Panipat	174-A IPC

1. Seeking quashing of aforesaid FIR, the accused has come up before this court under Section 482 CrPC.
2. After dishonor of the cheque drawn and the failure of response by the petitioner to the notice to pay the cheque amount, the complainant/respondent, the second respondent, filed a complaint against the petitioner under section 138 of The Negotiable Instruments Act, 1881.
3. The accused could not be served through the ordinary process, including summons, bailable warrants, and non-bailable warrants. The concerned court finally proceeded against the petitioner under section 82 of CrPC, declaring the petitioner a proclaimed person and ordering the registration of an FIR. Based on such a complaint, the police registered the above-mentioned FIR against the petitioner.
4. After the proclamation was issued, the petitioner surrendered before the trial Court and later on he was convicted vide judgment dated 05.03.2020 and sentenced on 07.03.2020. Aggrieved by the conviction after dismissal of appeal, petitioner approached this Court by filing CRR No.646 of 2024 decided on 29.08.2024 in which the petitioner was acquitted of the charges.

5. Since the petitioner has been acquitted of the charges levelled in the main case/complaint, there is no justification for continuing the ancillary proceedings under section 174-A IPC which is an upshot of the order, which merged in the final order of conviction which stands set aside. Consequently, in the facts and circumstances peculiar to this case, the petition is allowed, the above captioned FIR mentioned above, Annexure P-1, is quashed. All pending warrants stand canceled, and further proceedings quashed.

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

(ANOOP CHITKARA)
JUDGE

04.10.2024
Jyoti Sharma

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