

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 49597 of 2024
Date of Decision: 03.10.2024

Pankaj Kashyap ...Petitioner

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

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

Mr. Sikandh Mehta, Advocate
for respondent No.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
23	02.04.2019	Phool, District Bathinda	174-A IPC

1. Seeking quashing of aforesaid FIR, the accused has come up before this court under Section 528 BNSS, 2023.
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/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. The Judicial Magistrate Ist Class, Phul dismissed the complaint in default vide order dated 06.07.2022.
5. Counsel for respondent No.2 submits that the matter has been settled between the petitioner and them and he undertakes not to revive the complaint.

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6. I am satisfied with the explanation offered in the case's factual background.
7. The primary matter stands compromised; 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 FIR, 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

03.10.2024
Jyoti Sharma

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