



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

CRM-M-54611-2023 (O&M)
Date of decision: 21.10.2024

Vijay Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. S.K. Bishnoi, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

CRM-40981-2024

This is an application filed under Section 482 of Cr.P.C for preponement of the date of hearing in the main case from 06.02.2025 to an early date.

For the reasons stated in the application, the same is allowed and the date of hearing in the main case is preponed from 06.02.2025 to today and the same is taken on board today itself for hearing.

CRM-M-54611-2023

1. The present petition has been filed by petitioner seeking quashing of order dated 10.05.2022 (Annexure P-2) passed by the Court of Judicial Magistrate, Ist Class, Sirsa in a criminal complaint NACT/978/2023 titled as Anil Kumar Vs. Vijay Singh, under Section 138 of Negotiable Instruments Act whereby the petitioner was declared as proclaimed person in the aforesaid criminal complaint and FIR No. 326 dated 09.04.2023 (Annexure P-1), under Section 174-A IPC at Police Station Civil Lines Sirsa, District Sirsa.

2. The counsel for the petitioner submits that after the passing of



the impugned order (Annexure P-2), the petitioner effected compromise with complainant/respondent No.2 and on the basis of the said compromise, the aforesaid criminal complaint was withdrawn by complainant against the petitioner vide order dated 16.10.2023 (Annexure P-13). The counsel for the petitioner further submits that in view of the order (Annexure P-13), the impugned order (Annexure P-2) and FIR (Annexure P-1) are not sustainable and deserve to be set aside.

3. Notice of motion.

4. Mr. P.K. Aggarwal, DAG, Haryana accepts notice on behalf of the State and submits that the instant petition be disposed of in the light of compromise effected between petitioner and respondent No.2.

5. Admittedly, impugned order dated 10.05.2022 Annexure P-2 whereby the petitioner has been declared as proclaimed person and registration of FIR (Annexure P-1) under Section 174-A IPC are arising out of the aforesaid criminal complaint filed by respondent No.2 against the petitioner under Section 138 NI Act. It appears that now matter has been compromised and respondent No.2 has withdrawn aforesaid criminal complaint against the petitioner vide order dated 16.10.2023 (Annexure P-13). It being so, the impugned order dated 10.05.2022 (Annexure P-2) and FIR (Annexure P-1) registered under Section 174-A IPC are not sustainable in the eye of law and even otherwise continuation of Annexure P-1 and P-2 will amount to abuse of the process of Court and that of law.

6. In light of the above, the present petition is hereby allowed and impugned order dated 10.05.2022 (Annexure P-2) and impugned FIR No. 326 dated 09.04.2023, under Section 174-A IPC at Police Station Civil Lines Sirsa, District Sirsa (Annexure P-1) are hereby quashed qua the petitioner.

21.10.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No