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

**CRM-M No.51668 of 2024(O&M)
Date of Decision:19.10.2024**

Sandeep Singh**..... Petitioner****Versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Satish Kumar Garg, Advocate and
Mr. Anil Soni, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for quashing of FIR No.0080, dated 04.04.2023 (Annexure P-5) registered at police Station Ismailabad, District Kurukshetra, under Section 174-A of Indian Penal Code along with all consequential proceedings arising therefrom.

2. The precise submission made by learned counsel for the petitioner is that the petitioner was declared proclaimed offender in FIR No.142, dated 29.07.2018 under Section 406, 420, 120-B of IPC by the learned trial Court vide order dated 11.09.2019. He has submitted that the same was challenged by the petitioner before this Court by way of filing CRM-M No.49906 of 2023, which has been quashed by this Court vide order dated 16.09.2024. He has submitted that once the order declaring



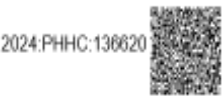
the petitioner proclaimed offender itself has been quashed and the petitioner is already appearing before the trial Court, the prosecution of the petitioner in the impugned FIR is nothing but an abuse of the process of the Court.

3. Notice of motion.

4. On the asking of the Court, Mr. Tanuj Sharma, AAG, Haryana appears and accepts notice on behalf of the respondent-State. He on the other hand contends that the petitioner was rightly declared as a proclaimed offender and the petitioner is liable to be prosecuted in the said case, as he had failed to appear in the Court despite orders.

5. I have heard counsel for the parties and perused the record.

6. It is apparent that the present FIR was registered due to non-appearance of the petitioner in a case FIR No.142, dated 29.07.2018 under Sections 420, 120-B IPC at Police Station Ismailabad, District Kurukshetra. As he was not aware about the registration of the FIR No. 142 dated 29.07.2018 against him, he could not appear in the Court and he was declared as a proclaimed offender. The petitioner was granted anticipatory bail by this Court vide order dated 23.08.2022. The petitioner has filed CRM-M-49906-2023 before this Court for quashing of order declaring the petitioner proclaimed offender and the same was allowed vide order dated 16.09.2024. So, keeping in view the above-said facts and the law settled, continuation of the proceedings under Section 174-A of IPC shall be abuse of the process of the Court.



7. Consequently, the present petition is allowed. FIR No.0080, dated 04.04.2023, under Section 174-A of IPC, at Police Station Ismailabad, District Kurukshetra, along with all consequential proceedings arising therefrom is hereby quashed.

19.10.2024

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(RAJESH BHARDWAJ)
JUDGE

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