



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

CRM-M-60757-2024 (O&M)

Date of decision: 12.12.2024

Leena Chaudhary

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by petitioner seeking quashing of FIR No.1343 dated 24.05.2023 (Annexure P-14), under Section 174-A of IPC, Police Station Shivaji Nagar, District Gurugram.

2. The counsel for the petitioner submits that complainant/respondent No.2 filed criminal complaint under Section 138 NI Act against the present petitioner, wherein the petitioner was declared as proclaimed person and the trial Court also directed registration of FIR under Section 174-A IPC against the petitioner. Consequently, FIR Annexure P-14 was registered against the petitioner. After the registration of FIR Annexure P-14, the petitioner effected compromise with the complainant/respondent No.2 and the aforesaid criminal complaint lodged under Section 138 NI Act was dismissed as withdrawn vide order Annexure P-13 dated 02.07.2024 passed by the Court of Judicial Magistrate Ist Class, Gurugram. The counsel for the petitioner further submits that in view of the order (Annexure P-13),



the impugned FIR (Annexure P-14) deserves to be quashed.

3. Notice of motion.

4. Mr. Karan Garg, AAG, Haryana accepts notice on behalf of respondent No.1-State and submits that the instant petition be disposed of in the light of compromise effected between petitioner and the complainant/respondent No.2.

5. It is apparent that FIR (Annexure P-14) is arising out of aforesaid criminal complaint filed by the complainant/respondent No.2 against the petitioner under Section 138 NI Act. It is also evident that now matter has been compromised and the complainant has withdrawn aforesaid criminal complaint against the petitioner vide order dated (Annexure P-13) dated 02.07.2024. It being so, FIR (Annexure P-14) is not legally sustainable and even otherwise continuation of prosecution of petitioner on the basis of FIR Annexure P-14 will amount to abuse of the process of Court and miscarriage of justice.

6. In light of the above, the present petition is hereby allowed and impugned FIR No.1343 dated 24.05.2023 (Annexure P-14), under Section 174-A of IPC, Police Station Shivaji Nagar, District Gurugram. and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner.

12.12.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No