



CRM-M-58350-2024

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

116

CRM-M-58350-2024
Decided on: 28.11.2024

Manju

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Aashish Bishnoi, DAG, Haryana.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
864	05.10.2022	City Sirsa	174-A IPC

1. Seeking quashing of aforesaid FIR, registered on the directions of Judicial Magistrate Ist Class, Sirsa, the accused has come up before this court under Section 528 BNSS.
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 parties settled the matter. The trial Court recorded the factum of compromise and vide order dated 02.04.2024 passed by JMIC Sirsa, complaint was dismissed as withdrawn.
5. However, petitioner to show his bonafide, made a statement on 22.11.2024 that he is



CRM-M-58350-2024

voluntarily willing to deposit an amount of Rs.10,000/- to PGI Poor Patient Welfare Fund, Chandigarh. In compliance to the above said order, petitioner has deposited the amount of Rs.10,000/- and handed over receipt of the same, which is taken on record.

6. Given above and the fact that main matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC.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 and the FIR mentioned above, is quashed. All pending warrants stand canceled, and further proceedings quashed.

Petition allowed with the aforesaid observation. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

28.11.2024
anju rani

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