

CRM-M-60057-2024

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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Decided on: 02.12.2024

Raj KumarPetitioner

Vs.

State of Haryana and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Himanshu Joshi, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana (Through VC).

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
0288	31.07.2022	Narwana, Distt. Jind	174-A IPC

Seeking quashing of FIR mentioned above, the accused has come up before this court under Section 528 BNSS.

2. After dishonor of the cheque handed over by the petitioner to the respondent, 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recorded the factum of compromise and vide order dated 27.09.2024 passed by SDJM, Narwana, complaint was dismissed as withdrawn.
5. In paragraph 3 of the petition, the petitioner explains that due to non-receiving of

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summons, he could not appear. I am satisfied with the explanation offered in the case's factual background. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC.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. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

02.12.2024
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.