



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

CRM-M-61461-2024

Date of decision: 11.12.2024

Ramesh @ Ashok

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Lokesh Sharma, 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.950 dated 13.12.2022, under Section 174-A of IPC, Police Station Hansi City, District Hansi (Annexure P-1).

2. The counsel for the petitioner submits that complainant 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-1 was registered against the petitioner. After the registration of FIR Annexure P-1, the petitioner effected compromise with the complainant and the aforesaid criminal complaint lodged under Section 138 NI Act was dismissed as withdrawn vide order Annexure P-3 dated 05.07.2023 passed by the Court of Judicial Magistrate Ist Class, Hansi. The counsel for the petitioner further submits that in view of the order (Annexure P-3), the impugned FIR (Annexure P-1) deserves to



be quashed.

3. Notice of motion.

4. Mr. Karan Garg, AAG, 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 the complainant.

5. Admittedly, registration of FIR (Annexure P-1) is arising out of aforesaid criminal complaint filed by the complainant against the petitioner under Section 138 NI Act. It is apparent that now matter has been compromised and the complainant has withdrawn aforesaid criminal complaint against the petitioner vide order dated (Annexure P-3) dated 05.07.2023. It being so, FIR (Annexure P-1) is not sustainable in the eyes of law and even otherwise continuation of prosecution of petitioner on the basis of FIR Annexure P-1 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 FIR No.950 dated 13.12.2022, under Section 174-A of IPC, Police Station Hansi City, District Hansi (Annexure P-1) and all the consequential proceeding arising therefrom are hereby quashed qua the petitioner.

11.12.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**