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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8828/2023**
LALIT SONIPetitioner

Through: Mr. Samridh, Advocate

versus

THE STATE OF NCT DELHI & ANR. & ORS.Respondents
Through: Mr. Sanjeev Sabharwal, APP for State
with SI Annu, PS Hauz Khas
(8708394173).

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

23.08.2024

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1. By way of the present petition, the petitioner seeks quashing of FIR No. 327/2022 registered under Section 174A IPC at P.S. Hauz Khas, South, New Delhi.
2. The present FIR was registered in the context of proceedings initiated by RBL Bank Ltd. under Section 138/141 N.I. Act. In the said proceedings, the present petitioner was arrayed as accused.
3. From the record, it appears that during the course of the abovementioned proceedings, the petitioner failed to appear, resulting in the initiation of process under Section 82 Cr.P.C. Due to petitioner's failure to respond to the process, he was declared as a proclaimed offender and vide order dated 20.07.2022, directions were issued for registration of an FIR against him. Apparently, the petitioner challenged the said order by way of a revision petition bearing C.R. No. 250/2022, which came to be listed on 26.07.2022. In the said revision petition, learned Principal District &



Sessions Judge (South) while noting the factum of settlement being arrived at between the parties, directed that operation of the order dated 20.07.2022 shall remain stayed.

4. Record reveals that this order probably did not reach the concerned Police Station and the present FIR came to be registered on 10.08.2022.

5. Considering the aspect of settlement, the underlying complaint case was permitted to be compounded and the petitioner was also acquitted vide final order dated 28.10.2022. A perusal of the order shows that the factum of registration of the FIR inspite of the stay order granted by the Court was not brought before the Court.

6. It is evident that the FIR came to be registered despite the stay granted by the Court of Principal District & Sessions Judge. Considering that the offence under Negotiable Instrument Act already stands compounded and the petitioner acquitted, the present FIR is quashed.

MANOJ KUMAR OHRI, J

AUGUST 23, 2024/akc