



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

CRM-M-10319-2025
Date of decision: 27.02.2025

Rasmita Jena

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Gulshan Nandwani, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G. Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by petitioner seeking quashing of FIR No.789 dated 07.10.2018 (Annexure P-1) registered under Section 174-A IPC at Police Station Shivaji Nagar, District Gurugram along with all the consequential proceedings arising therefrom in a criminal complaint NACT-5314-2017 titled India Bulls Ltd. Vs. Rasmita Jena.

2. The counsel for the petitioner submits that the petitioner was not aware about the pendency of any such criminal complaint which was lodged by complainant/respondent No.2 under Section 138 NI Act against the petitioner. The learned trial Court without verifying the fact of service of notice/summons, declared the petitioner as proclaimed person in the aforesaid criminal complaint and at the same time, also directed the SHO concerned to register FIR and resultantly, FIR Annexure P-1 was registered against the petitioner. It is further submitted that subsequently, parties entered into compromise and the aforesaid criminal complaint lodged under Section 138 NI Act was dismissed as withdrawn by the Court concerned vide order Annexure P-3 dated 13.05.2023 and thus, the FIR Annexure P-1 is not sustainable and deserves to be set aside.

3. Mr. J.S. Dhaliwal, AAG, Punjab has appeared on behalf of



respondent No.1-State and submits that the present petition be disposed of in accordance with law.

4. Admittedly, FIR Annexure P-1 has arisen out of criminal complaint No.NACT-5314-2017. It has come on the record that the said criminal complaint was dismissed as withdrawn by the Court concerned vide order Annexure P-3 dated 13.05.2023, as the matter was compromised between the private parties. It being so, FIR (Annexure P-1) registered under Section 174-A IPC is not sustainable in the eyes of law and even otherwise continuation of FIR (Annexure P-1) will amount to abuse of the process of Court and that of law.

5. In light of the above, the present petition is hereby allowed and FIR No.789 dated 07.10.2018 (Annexure P-1) registered under Section 174-A IPC at Police Station Shivaji Nagar, District Gurugram is hereby quashed qua the petitioner.

27.02.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No