



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

141

CRM-M-15225-2025
Decided on : 20.03.2025

Satya Devi

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sandeep Godara, Advocate
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Cr.P.C. (now under Section 528 of BNSS, 2023), is for quashing/setting aside of FIR No.87, dated 03.04.2023, under Section 174-A of IPC, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur (Annexure P-1) (registered after the petitioner was declared as a 'proclaimed person' in Criminal Complaint bearing No. NACT 582/2021 (Annexure P-2), insstituted on 23.12.2021, titled as, "M/s Jagat Finance Company v. Satya Devi"), along with all consequential proceedings arising therefrom.

2. Counsel for the petitioner submits that, in fact, the main controversy between the petitioner and the complainant i.e. M/s Jagat Finance Company, was regarding the bouncing of cheque, amounting to Rs.7.00 lacs, and has already been resolved and as a result thereto, the complaint case itself has been withdrawn by the complainant on 14.09.2024 (P-6).

In support of his contention, counsel for the petitioner refers to

the order dated 14.09.2024 (P-6), passed by learned Presiding Officer, National Lok Adalat, Batala, and same is reproduced here-in-below:-

“Present : Sh. Sumeet Narang, Advocate counsel for complainant.

File take up in National Lok Adalat. Ld. Counsel for the complainant had withdrawn the present case vide his separate statement on 14.06.2024. In view of the statement of the Ld. Counsel for the complainant, the present case stands dismissed as withdrawn. File be consigned to record room, Batala after due compliance.

Dated: 14.09.2024.

*Mehak Puri, PCS
Presiding Officer, National Lok
Adalat, Batala/UID No.PB0582”*

3. Learned counsel for the petitioner further submits that declaration of the petitioner as proclaimed offender, and thereafter, registration of FIR No.87, dated 03.04.2023, under Section 174-A of IPC, would not be considered as material proceeding, once main offence from which such proceedings emerged, has already been withdrawn on the statement of the complainant. In support of the contention, learned counsel relies upon judgment of the co-ordinate Bench of this Court rendered in **CRM-M-47657-2022**, titled as, **“Randhir Singh Tyagi v. State of Haryana and another”**, decided on **17.10.2022..**

4. Notice of motion.

5. On asking of the Court, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, who is present in Court, accepts notice on behalf of respondent No.1 – State. Copy of the paper book has already been supplied to him.

6. In view of the settled proposition of law, wherein, several other similar matters have already been decided by this Court, learned State counsel has no serious and authentic submissions before this Court to oppose the prayer made in present petition.

7. Heard.

8. Under these circumstances, once the proceedings under Section 138 of NI Act stands withdrawn on the basis of compromise, continuation of the instant FIR under Section 174-A of IPC is nothing but an abuse of process of law. In this regard reliance can be placed upon judgment rendered by this Court in the case of *Microqual Techno Limited and others v. State of Haryana and another*, 2015(32) RCR (Criminal) 790, which has also been followed in *CRM-M-47891-2021*, titled as, “*Jitender Singh v. State of Haryana and another*”, decided on 16.11.2021, and the order dated 05.09.2022, passed by this Court in *CRM-M-34291-2022*, titled as, “*Pankaj Sharma v. State of Haryana and another*”.

9. Accordingly, instant petition is allowed. Order dated 06.03.2023 (Annexure P-3) declaring the petitioner as proclaimed person, and all consequential proceedings arising therefrom including FIR No.87, dated 03.04.2023, under Section 174-A of IPC, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur (Annexure P-1), as well as all consequential proceedings arising therefrom, stand quashed *qua* the petitioner.

Petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

March 20, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No