



CRM-M-41964-2023

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

208-1

CRM-M-41964-2023

Date of decision: 08.07.2025

Krishan Singh Shekhawat

...Petitioner

V/s

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ujwal Anand, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

None for respondent No.2.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C., 1973, seeking quashing of order dated 30.04.2019 (Annexure P-1) passed by the trial Court whereby the petitioner was declared a proclaimed offender in complaint case No.8720 of 2016 titled as "*Pawan vs. Krishan Singh*" filed under Section 138 of Negotiable Instrument Act, 1881.

2. Learned counsel for the petitioner has iterated that the present matter arises out of proceedings under Section 138 of the Negotiable Instruments Act, 1881. Learned counsel has further iterated that the dispute between the parties has been amicably resolved and the complainant has already withdrawn the complaint, as evidenced by Annexure P-3 appended with the connected petition i.e. CRM-M-38620-2023. Learned counsel further submits that the continuation of proceedings against the petitioner would serve no fruitful purpose, especially in light of the compromise between the parties and withdrawal of the complaint. While assailing the impugned order, learned counsel has argued that the order declaring the

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petitioner as proclaimed offender is not sustainable and is liable to be set-aside.

3. Learned State counsel has opposed the claim of the petitioner seeking quashing of the order declaring the petitioner as proclaimed offender in the case. While refuting the case of the petitioner, detailed arguments concerning the merits of the case were made and it is argued that the petitioner was arrested on 30.03.2022 and was thereafter released on bail by the competent Court. It is further iterated by the learned State counsel merely because the main complaint has been dismissed, on account of settlement, the same does not afford any ground for quashing of proclaimed offender proceedings as the same are independent of the main complaint. Furthermore, it has been iterated that the impugned order has been passed after due application of mind and upon consideration of the factual matrix of the case and in strict adherence of the procedural requirements mandated by the law. Hence, the impugned order does not suffer from any legal infirmity warranting interference by this Court.

4. I have heard the learned counsel for the parties and carefully perused the record of the case.

5. As per the case set forth by the petitioner, an amicable settlement has been duly arrived at between the petitioner and the complainant (respondent No.2 herein). In furtherance of the said compromise, the complainant has voluntarily made a statement before the trial Court, whereby he has categorically withdrawn the complaint in question, acknowledging the resolution of the dispute. Furthermore, the petitioner has complied with all the terms and conditions envisaged under



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the compromise, thereby demonstrating his *bona fide* intent to bring the *lis* to an end. The complainant, having expressed satisfaction with the settlement, has no subsisting grievance against the petitioner and hence in these circumstances, the continuance of criminal proceedings against the petitioner would serve no meaningful purpose and would amount to an unnecessary abuse of the process of law. Therefore, in the interest of justice and to promote the ends of reconciliation between the parties, it would be an appropriate case for exercise of powers under Section 482 of Cr.P.C./528 of BNSS and to bring to an end the criminal proceedings initiated in the light of the order dated 30.04.2019.

6. In view of the above findings, in the entirety of facts and circumstances of the present case, the present petition is allowed and the order dated 30.04.2019 (Annexure P-1) passed by the Judicial Magistrate Ist Class, Gurugram in complaint case No.8720 of 2016 titled as “*Pawan vs. Krishan Singh*” filed under Section 138 of Negotiable Instrument Act, 1881, declaring the petitioner as proclaimed offender and the consequent criminal proceedings initiated against the petitioner is quashed.

7. Pending application(s), if any, shall also stand disposed of accordingly.

(SUMEET GOEL)
JUDGE

July 08, 2025
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No