

2025:PHHC:088968



172 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38206-2025
DECIDED ON: 21.07.2025

SURINDER MITTAL

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Himanshu Bansal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. RELIEF SOUGHT

The jurisdiction of this Court under Section 582 of BNNS, 2023 has been invoked seeking quashing the impugned FIR No. 57, dated 12.01.2023 (Annexure P-2), under Section 174-A of the Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Karnal Civil Lines, Karnal.

2. FACTS

The petitioner was declared proclaimed person and in pursuance thereto the present case i.e. FIR No. 57, dated 12.01.2023 (Annexure P-2), under Section 174-A IPC stands registered against the petitioner at Police Station Civil Lines, Karnal.

3. SUBMISSIONS ON BEHALF OF PETITIONER

Learned counsel for the petitioner inter alia contends that now

the parties have settled the dispute and the main complainant has been dismissed as withdrawn.

4. ANALYSIS

The question which arises for consideration of this Court is whether on account of withdrawal of the complaint under Section 138 of the Act, the proceedings of FIR No. 57, dated 12.01.2023 (Annexure P-2), under Section 174-A IPC deserve to be quashed?

The stand of learned counsel representing the petitioners is that the complainant has withdrawn the complaint under Section 138 of the Act. In the factual backdrop of this case, undisputedly, once the substantive offence already stands settled between the petitioner and the complainant, the proceedings under Section 174-A of IPC would be of no consequence.

Reliance in this regard has been placed upon the various pronouncements on the issue involved in the present case. In CRM-M-43813-2018, **Baldev Chand Bansal vs. State of Haryana and another**, decided on 29.01.2019, **Vikas Sharma vs. Gurpreet Singh Kohli and another, 2017, (3) L.A.R. 584, Microqual Techno Limited and others Vs. State of Haryana and another, 2015 (32) RCR (Crl.) 790 and Rajneesh Khanna Vs. State of Haryana and another, 2017(3) L.A.R. 555** wherein, in identical circumstances, the Co-ordinate Benches of this Court have held that since the main petition filed under Section 138 of the Act stands withdrawn in view of an amicable settlement between the parties, therefore, the proceedings under Section 174-A of IPC would not sustain either.

A Coordinate Bench of this Court in **Vikas Gupta vs. State of Haryana and others**, while quashing the FIR under Section 174-A of the

IPC in CRM-M-19636-2018 decided on 01.08.2018 has observed the following:

“The ultimate aim, objective and goal of a legal system is to reconcile the social conflicts. Law is required only to ensure that people do not have to fight with each other just to protect their right to property, right to life and liberty and other rights secured to them by the legal system. The civil disputes are the conflicts between two parties, having lesser overtones for the social order, social harmony or the society as such. Hence absolute freedom is given to the parties to settle their disputes by compromises, of course, coming with certain legal consequences as well. However, the criminal disputes do not necessarily restrict themselves to only two parties to the dispute in terms of their scope, consequences and effect. The criminal acts tend to cast their effect and consequences even upon the society at large. Therefore, the law prescribes punishment, severe punishments and the extreme punishments, including death penalty for criminal acts.”

This Court, while examining the facts and circumstances of the present case, is *ad idem* with the view taken by the Coordinate Benches of this Court that once the substantive offence has been settled between the petitioner and the complainant, the proceedings of FIR No. 57, dated 12.01.2023 (Annexure P-2), under Section 174-A IPC would not sustain either.

5. CONCLUSION

In view of the discussions made hereinabove, the present petition is allowed and FIR No. 57, dated 12.01.2023 (Annexure P-2), under Section 174-A IPC registered at Police Station Civil Lines, Karnal, are hereby quashed qua the petitioner.

(SANDEEP MOUDGIL)
JUDGE

21.07.2025
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1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No