



CRM-M-52650-2021 (O & M)
and other connected cases

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Date of Decision:-16.10.2025

(1) CRM-M-52650-2021 (O &M)

Rajan Grover

.....Petitioner.

Vs.

State of Haryana

.....Respondents.

(2) CRM-M-32406-2021 (O &M)

Rajan Grover

.....Petitioner.

Vs.

State of Haryana

.....Respondents.

(3) CRM-M-32438-2021 (O &M)

Rajan Grover

.....Petitioner.

Vs.

State of Haryana

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Santosh Kumar Yadav, Advocate
For Mr. P.S. Jammu, Advocate, for the petitioner
In all the three petitions.

Ms. Shaveta Sanghi, DAG, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

This order shall disposed of three criminal miscellenous



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petitions bearing Nos.CRM-M Nos. 52650, 32406 and 32438 of the 2021 as the same arise out of a similar cause of action.

2. The prayer in the above-mentioned petitions under Section 482 of Cr.P.C. is for quashing of separate FIRs No.1424 dated 31.07.2019 (in CRM-M-52650-2021), FIR No.1411 dated 16.12.2020 (in CRM-M-32406-2021) and FIR No.1412 dated 16.12.2020 (in CRM-M No.32438-2021) each under Section 174-A IPC, registered at Police Station Shivajii Nagar, District Gurugram and all consequential proceedings arising therefrom as a compromise has been effected before the Hon'ble Supreme Court in the complaint under Section 138 of the N.I. Act and the petitioner has been acquitted.

3. For the sake of convenience, the facts are being taken from the petition bearing No. CRM-M-52650-2021.

4. The brief facts of the case are that three cheques bearing Nos.048280, 70294 and 873627 totalling a sum of Rs.43,75,000/- were issued by the accused-petitioner which came to be dishonoured, leading to the filing of the Criminal Complaint No.1267 dated 02.07.2014 under Section 138/142 of the N.I. Act, in which the accused-petitioner came to be summoned to face Trial vide order dated 02.07.2014.

5. Two cheques bearing Nos.702995 and 873628 totalling a sum of Rs.75,40,000/- were also issued by the accused-petitioner which came to be dishonoured, leading to the filing of the Criminal Complaint No.848 K G dated 28.07.2014 under Section 138/142 of the N.I. Act, in which the accused-petitioner came to be summoned to face Trial vide order dated 07.08.2014.

6. The accused-petitioner faced Trial in both the aforementioned



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criminal complaints and came to be convicted and sentenced vide separate judgments of conviction and orders of sentence dated 02/03.08.2016.

7. He preferred two separate appeals bearing Nos.29 of 2016 and 30 of 2016 which came to be dismissed vide judgment dated 29.02.2020. Before the pronouncement of the judgment by the Appellate Court, the proclamation proceedings had already commenced against the accused-petitioner. He was declared a proclaimed offender on 24.02.2020 consequent to which two separate FIRs bearing No.1411 and 1412 each dated 16.12.2020 under Section 174-A IPC, Police Station Shivaji Nagar, District Gurugram (Annexure P-1 in both the petitions i.e. CRM-M-32406-2021 and CRM-M-32438-2021) came to be registered.

8. Both the revision petitions i.e. CRR-1094 of 2020 and CRR-1101-2020 came up for hearing before this Court and were dismissed vide a common order dated 29.09.2020.

9. Meanwhile, the accused-petitioner and the complainant entered into a settlement pursuant to which, the accused-petitioner during pendency of the appeals had issued a cheque bearing No.000177 dated 15.06.2017 for an amount of Rs.7,50,000/- as part payment. The said cheque also came to be dishonoured leading to the filing of another complaint under Section 138 of the N.I. Act bearing No.9904-2017.

10. During the pendency of the aforesaid complaint (No.9904-2017), the accused-petitioner was declared a proclaimed offender vide order dated 01.07.2019. The file was consigned to the Record Room. In compliance of the said order, FIR No.1424 dated 31.07.2019 under Section 174-A, Police Station Shivaji Nagar, District Gurugram (Annexure P-1 in CRM-M-52650-2021) came to be registered.



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10. The accused-petitioner, thereafter, approached the Hon'ble Supreme Court wherein a settlement was arrived at and a Memorandum of Understanding (MoU) dated 22.07.2021 was executed between the parties. In view of the settlement arrived and in furtherance of the MoU, on 30.07.2021, the Hon'ble Supreme Court passed the following order:-

“Heard learned counsel for the parties.

The petitioner is directed to pay a sum of Rs.1 lakh towards SCBA Advocates Welfare Fund.

Considering the fact that both the parties have settled the matters vide MOU dated 22.07.2021, we allow the application (IA –86180/2021) and quash the order of the Trial Court convicting the petitioner. Consequently, appellate and revisional orders also become redundant and the petitioner stands acquitted in the complaint under Section 138 of the Negotiable Instruments Act.

The special leave petitions are disposed of.

Pending application(s), if any, stands disposed of.

11. The present petitions for quashing of separate FIRs No.1424 dated 31.07.2019 (in CRM-M-52650-2021), FIR No.1411 dated 16.12.2020 (in CRM-M-32406-2021) and FIR No.1412 dated 16.12.2020 (in CRM-M No.32438-2021) each under Section 174-A IPC, registered at Police Station Shivajii Nagar, District Gurugram and all consequential proceedings arising therefrom have been filed based on the fact that in compliance of the order dated 30.07.2021 passed by the Hon'ble Supreme Court (Annexure P-4), in the above-mentioned criminal complaints under Section 138/142 of the N.I. Act, the accused-petitioner has been acquitted on the basis of a compromise/MOU dated 22.07.2021 (Annexure P-3).

12.

The learned counsel for the petitioner contends that as the



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accused-petitioner has been acquitted by the Hon'ble Supreme Court vide a judgment/order dated 30.07.2021 (Annexure P-4) in the criminal complaints under Section 138/142 N.I. Act on the basis of a compromise/MOU (Annexure P-3), the impugned separate FIRs bearing FIRs No.1424 dated 31.07.2019 (in CRM-M-52650-2021), FIR No.1411 dated 16.12.2020 (in CRM-M-32406-2021) and FIR No.1412 dated 16.12.2020 (in CRM-M No.32438-2021) each under Section 174-A IPC, registered at Police Station Shivajii Nagar, District Gurugram and all consequential proceedings arising therefrom be quashed.

13. The learned State Counsel has opposed the present petitions and has submitted that the FIRs have been registered in accordance with law.

14. I have heard the learned counsel for the parties. paper-book.

15. From the above-said facts and circumstances, it is apparent that the present FIRs were registered in view of the fact that the petitioner was declared as a proclaimed person in the proceedings in the above-mentioned criminal complaints under Section 138/142 N.I. Act, in which he stands acquitted vide a judgment/order dated 30.07.2021 passed by the Hon'ble Supreme Court (Annexure P-4) on the basis of a compromise/MOU (Annexure P-3).

16. A co-ordinate Bench of this Court in **CRM-M-43813-2018** titled as "**Baldev Chand Bansal vs. State of Haryana and another**", decided on 29.01.2019 has held as under:-

"Prayer in this petition is for quashing of FIR No.64 dated 15.02.2017 filed under Section 174-A of the Indian Penal Code registered at Police Station Sector-5, Panchkula and all other subsequent proceedings arising thereof as well as order dated 24.10.2016 passed by the trial Court vide which a



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direction was issued to register the aforesaid FIR.

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*Learned counsel for the petitioner has relied upon the decisions rendered by this Court in “ **Vikas Sharma vs. Gurpreet Singh Kohli and another (supra)**, 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 an identical circumstance, this Court has 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, continuation of proceedings under Section 174A of IPC shall be nothing but an abuse of the process of law.*

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In view of the same, I find merit in the present petition and accordingly, present petition is allowed and the impugned order dated 24.10.2016 passed by Judicial Magistrate, 1st Class, Panchkula as well as FIR No.64 dated 15.02.2017 registered under Section 174-A of the Indian Penal Code at Police Station Sector-5, Panchkula and all other subsequent proceedings arising thereof, are hereby quashed.”

17. A perusal of the above judgment would show that in a similar case where the FIR had been registered under Section 174-A IPC in view of the order passed in proceedings under Section 138 of the Act, while declaring the petitioner therein as a proclaimed offender, a co-ordinate Bench after relying upon various judgments observed that once the main petition under Section 138 of the Act stands withdrawn in view of an amicable settlement between the parties, the continuation of proceedings under Section 174-A IPC is nothing but an abuse of the process of law. The said aspect was one of the main considerations for allowing the petition and



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setting aside the order declaring the petitioner therein as a proclaimed person as well as quashing of the FIR under Section 174-A IPC.

18. Another co-ordinate Bench of this Court in a case titled as ***“Ashok Madan vs. State of Haryana and another”*** reported as **2020(4) RCR (Criminal) 87** has also held as under:-

“No doubt, the learned counsel for the respondent has vehemently argued that the offence under Section 174A I.P.C. is independent of the main case, therefore, merely because the main case has been dismissed for want of prosecution, the present petition cannot be allowed, however, keeping in view the fact that the present FIR was registered only on account of absence from the proceedings in the main case which had been subsequently regularised by the court while granting bail to the petitioner, the default stood condoned. In such circumstances, continuation of proceedings under Section 174A I.P.C. Shall be abuse of the process of court.

7. Accordingly, the petition is allowed. FIR No.446 dated 21.08.2017, registered under Section 174A I.P.C. At Police Station Kotwali, District Faridabad, as well as consequential proceedings shall stand quashed.”

19. A perusal of the relevant extract of the above judgment would show that where the main case was dismissed for want of prosecution, it was observed that the continuation of proceedings under Section 174-A IPC shall be an abuse of the process of court. A similar view has been expressed by this Court in “Anil Kumar Versus Jitender Kumar and another, CRM-M-5878-2022 decided on 06.04.2022”, “Anil Kumar Versus Jitender Kumar and another, CRM-M-5755-2022 decided on 06.04.2022” and “Varinder Kumar @ Virender Kumar Versus State of Haryana and another, CRM-M-42551-2021 decided on 19.04.2022”.



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20. In the present cases, the accused-petitioner has been acquitted in all the afore-mentioned complaints under Section 138/142 of the N.I. Act vide a judgment dated 30.07.2021 (Annexure P-4) passed by the Hon’ble Supreme Court on the basis of a compromise/MOU dated 22.07.2021 (Annexure P-3) executed between the parties.

21. In view of the above, the present petitions are allowed and subject to deposit of Rs.25,000/- as costs with the Punjab State Legal Services Authority-cum-Disaster Relief Fund Account No.44426937384 IFSC Code SBIN0014656 State Bank of India, Sector 68, SAS Nagar, the above-mentioned FIRs No.1424 dated 31.07.2019 (in CRM-M-52650-2021), FIR No.1411 dated 16.12.2020 (in CRM-M-32406-2021) and FIR No.1412 dated 16.12.2020 (in CRM-M- No.32438-2021) each under Section 174-A IPC, registered at Police Station Shivaji Nagar, District Gurugram and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

13. The pending application(s), if any, stands disposed of accordingly.

14. A photocopy of this order be placed on the files of the connected cases.

(JASJIT SINGH BEDI)
JUDGE

October 16, 2025
sukhpreet

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>