

CRM-M-51091-2025

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51091-2025
Reserved on: 12.09.2025
Decided on: 29.09.2025

Kuldeep SinghPetitioner

Vs.

State of Haryana and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Deep Singh Saini, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Hayana.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
232	25.06.2019	Matlauda, District Panipat	174-A IPC

1. Seeking quashing of FIR mentioned above, the petitioner has come up before this court under Section 528 BNSS.
2. After the dishonor of the cheque handed over by the second respondent to the petitioner, the second respondent filed a complaint against the petitioner under section 138 of the Negotiable Instruments Act, 1881.
3. The accused could not be served through the ordinary process, including summons, bailable warrants, or even non-bailable warrants. The concerned court finally proceeded against the petitioner under section 82 of the CrPC and declared the petitioner a proclaimed offender by the aforesaid order.
4. After the issuance of the proclamation, the matter was settled between the parties. The Ld. Court recorded the factum of compromise. As per the order dated 28.09.2021 passed by Judicial Magistrate, Ist Class, Panipat, in Complaint No.CIS/NACT/2606/2018, the complaint was dismissed as withdrawn.
5. In the following paragraphs, the petitioner explains as follows:

“3. That thereafter, the Ld. Trial Court issued notice to the petitioner but the

CRM-M-51091-2025

said notices were not properly served upon the petitioner and ultimately, petitioner was declared proclaimed person vide order dated 16.01.2019 by Ld. JMIC, Panipat. Copy of order dated 16.01.2019 is annexed as Annexure P-2. It is relevant to mention here that in view of order dated 16.01.2019, the police registered an FIR No.232 dated 25.06.2019 under Section 174-A of I.P.C. registered at Police Station Matlauda, District Panipat against the petitioner and co-accused. Copy of FIR No.232 dated 25.06.2019 is annexed as Annexure P-3.

4. That thereafter, petitioner appeared before the Ld. Trial Court and moved an application for grant of bail. Ld. Trial Court keeping in view the facts stated in the application was pleased to allow the same as the offence was bailable and petitioner was admitted to bail on furnishing bail bonds in sum of 50,000/- with one surety in the like amount. Copy of order dated 13.08.2019 is annexed as Annexure P-4.

5. That petitioner started appearing before Ld. Trial Court on each and every date. Meanwhile, with the intervention of respectable, petitioner and respondent No.2 / complainant entered into a compromise and petitioner settled the account of complainant/ respondent No.2. Upon which, complainant /respondent No.2 filed an application to withdraw the above said complaint u/s 138 of N.I. Act and he made a statement that, he does not want to proceed further with the present complaint and the same may be dismissed as withdrawn. In view of statement made by complainant/ respondent No.2 the above said complaint was dismissed as withdrawn vide order dated 28.09.2021. Copy of order dated 28.09.2021 is annexed as Annexure P-5.

6. That thereafter, when police started harassing the petitioner on the account of above mentioned FIR No.232 dated 25.06.2019 u/s 174-A of IPC (Ann. P-3), then petitioner approached the Ld. Sessions Judge, Panipat for grant of anticipatory bail in FIR No.232 dated 25.06.2019 and the Ld. Sessions Judge, Panipat had granted concession of anticipatory bail to the petitioner vide its order dated 08.10.2021. Copy of order dated 08.10.2021 is annexed as Annexure P-6.

7. That police filed challan against the petitioner on dated 15.02.2022 before the Ld. JMIC, Panipat and on the same day, petitioner moved an application for grant of concession of regular bail and same was allowed by the Ld.

CRM-M-51091-2025

JMIC, Panipat on furnishing bail bonds in the sum of Rs.30,000/- with one surety each in the like amount. A copy of order dated 15.02.2022 is annexed as Annexure P-7.

8. That thereafter, the case was fixed for argument on charge and prosecution evidence for 24.08.2022, 26.04.2023, 11.03.2024, 06.08.2024, 03.12.2024 and 14.05.2025, but till date not a single prosecution witness has been examined so far. Copy of zimini orders are annexed as Annexure P-8.”

6. In the case's factual background, I am satisfied with the explanation offered. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under Section 174-A of the IPC.
7. Consequently, in the facts and circumstances peculiar to this case, above mentioned FIR is quashed. All pending warrants are hereby revoked and canceled, and further proceedings are also quashed.
8. Petition is allowed with the aforesaid observation. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

29.09.2025
anju rani

Whether speaking/reasoned	YES
Whether reportable	NO