**CRM-M-54563-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.131****Case No. : CRM-M-54563-2025****Decided On : October 30, 2025**

Vikram Singh Rathore Petitioner

vs.

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Karan Jangra, Advocate
Ms. Raahat Kataria, Advocate
Mr. Anmol Tuteja, Advocate
and Mr. Bhavuk Datta, Advocate
for the petitioner.

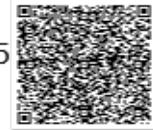
Mr. R. K. Singla, Addl. A. G. Haryana.

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SUKHVINDER KAUR, J. :

Through the present petition, filed under Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.344 dated 01.10.2019, under Section 174-A IPC, 1860, registered at Police Station Bhuna, District Fatehabad, as the matter had already been settled amicably between the parties, as a result whereof, the petitioner had already been acquitted in the main case i.e. FIR No.538 dated 16.12.2016, under Sections 406, 420 IPC, registered at Police Station Bhuna, District Fatehabad, out of which the aforesaid FIR No.344 dated 01.10.2019, under Section 174-A IPC, 1860 had arisen, due to non-appearance and proclamation proceedings against the petitioner.

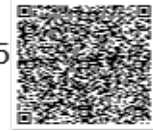
Brief facts of the case are that FIR No.538 dated 16.12.2016,

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under Sections 406, 420 IPC, was registered at Police Station Bhuna, District Fatehabad against the petitioner on the basis of complaint made by one Hardeep Singh. In that case, the petitioner was granted bail on 10.04.2017. However, later proclamation was issued against the petitioner under Section 82 Cr.P.C. due to his non-appearance and subsequently, FIR in question i.e. FIR No.344 dated 01.10.2019, under Section 174-A IPC, 1860 was registered against the petitioner. On 31.07.2023, the dispute between the complainant and the petitioner was settled amicably and as a result, the petitioner was acquitted in the aforesaid FIR No.538 dated 16.12.2016. So, the petitioner has approached this Court by way of present petition, praying for dismissal of subsequent FIR i.e. FIR No.344 dated 01.10.2019, under Section 174-A IPC, 1860, on the basis of his acquittal in the main case i.e. FIR No.538 dated 16.12.2016, under Sections 406, 420 IPC, registered at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioner, at the outset, submitted that in FIR No.538 dated 16.12.2016, registered under Sections 406, 420 IPC, at Police Station Bhuna, District Fatehabad, the petitioner was declared proclaimed person. However, the parties entered into a compromise and settled their dispute amicably. As a result, vide order dated 31.07.2023, passed by learned Judicial Magistrate Ist Class, Fatehabad, the offence was compounded and the petitioner had already been acquitted in that case on the basis of compromise. The said fact has not been disputed by learned counsel appearing on behalf of respondent-State.

Thus, in view of aforesaid order dated 31.07.2023, passed by learned Judicial Magistrate Ist Class, Fatehabad, learned counsel for the



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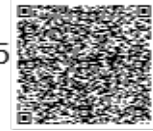
petitioner argued that no purpose would be achieved by continuing with the proceedings arising out of the FIR in question under Section 174-A IPC. In support of his submissions, learned counsel for the petitioner has placed reliance on a judgment passed by a Co-ordinate Bench of this Court in case of **Ashok Madan vs. State of Haryana and another – 2020 (4) R.C.R. (Criminal) 87**, and has contended that the case of the petitioner is identical on facts and law to that of the referred judgment.

Learned State counsel though submitted that aforementioned FIR has rightly been registered against the petitioner in accordance with law, by following all the provisions of Cr.P.C., and same is required to come to a logical end, but he very fairly conceded that the very dispute, out of which proceedings were ordered to be initiated against the petitioner under Section 174-A IPC, stand finalised and the petitioner had already been acquitted in that case.

I have heard learned counsel for the parties and perused the case file.

In **Baldev Chand Bansal v. State of Haryana and another – CRM-M-43813-2018**, decided on 29.01.2019, a Co-ordinate Bench of this Court 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 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.

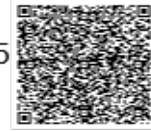
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In view of the same, I find merit in the present petition and accordingly, present petition is allowed and the impugned order dated 24.10.2016 passed by Judicial Magistrate, 1st Class, Panchkula as well as FIR No.64 dated 15.02.2017 registered under Section 174-A of the Indian 140 CRM-M-59270-2022 5 Penal Code at Police Station Sector-5, Panchkula and all other subsequent proceedings arising thereof, are hereby quashed.”

A perusal of the above judgment would show that in a similar case where FIR was registered under Section 174-A IPC pursuant to an order passed by the Trial Court in proceedings under Section 138 of the Negotiable Instruments Act, 1881, while declaring petitioner therein as proclaimed offender, a co-ordinate Bench after relying upon various



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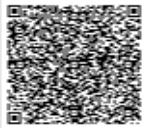
judgments observed that once the main petition under Section 138 of the Act stands withdrawn in view of an amicable settlement between the parties, continuation of proceedings under Section 174-A IPC is nothing but an abuse of the process of law. The said aspect was one of the main consideration for allowing the petition and setting aside the order declaring the petitioner therein as proclaimed person as well as quashing of FIR under Section 174-A IPC.

Another Co-ordinate Bench of this Court in a case titled as **Ashok Madan** (*supra*), 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.

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.”

The continuation of proceedings under Section 174-A IPC



were held to be abuse of the process of law, once main dispute between the parties has already ended.

Under these circumstances, once the petitioner stands acquitted in main FIR No.538 dated 16.12.2016, continuation of FIR No.344 dated 01.10.2019, under Section 174-A IPC, 1860, registered at Police Station Bhuna, District Fatehabad, is nothing but an abuse of process of law. In this regard reliance can also 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) R.C.R. (Criminal) 790, which has also been followed in Jitender Singh v. State of Haryana and another – CRM-M-47891-2021, decided on 16.11.2021.

In view of the above facts, the present petition is allowed and FIR No.344 dated 01.10.2019, under Section 174-A IPC, 1860, registered at Police Station Bhuna, District Fatehabad, is hereby quashed qua the petitioner herein, along with all consequential proceedings arising therefrom.

October 30, 2025
monika

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.