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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8221/2025 & CRL.M.A. 34304/2025,
CRL.M.A. 34305/2025
ANURAG SHARMAPetitioner

Through: Mr. Rajat Sharma,
Advocate along with
Petitioner in person.

versus

THE STATE OF N.C.T. OF DELHIRespondent
Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Manoj Kumar, HC
Ramkesh, PS Janakpuri.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **19.11.2025**

1. The present petition is filed seeking quashing of FIR No. 395/2023 dated 08.10.2023, registered at Police Station Janak Puri for offences Section 174A of the Indian Penal Code, 1860 ('IPC'), registered at Police Station Janak Puri, including all consequential proceedings arising therefrom.
2. The FIR was registered under Section 174A of the IPC pursuant to the petitioner being declared as a Proclaimed Person in the proceedings arising out of Ct Cases 31401/2019 initiated under Section 138 of the Negotiable Instruments Act, 1881 ('NI Act').
3. The only ground urged by the petitioner is that since the offence pursuant to which the proceedings were initiated under Section 82 CrPC has already been settled with the complainant and that the petitioner is a first time offender. The offence under Section 174A IPC is a separate offence and proceedings and
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conviction for the said offence is not dependent on the outcome of the proceeding in the parent case. The offence of evading the Court process and not appearing despite repeated summons, warrants and proclamation is not an offence *in personam* but an offence in '*rem*'. Running away from the course of justice not only cause prejudice to the complainant but also to public at large.

4. The offence under Section 174A IPC is essentially contempt of the authority of the Court. The same leads to not only the waste of precious judicial time but also of the prosecuting authorities who are made to work unnecessarily. The proceeding cannot be put to rest only because accused at a later stage decided to appear in Court.

5. However, in the present case the charges are yet to be framed. The petitioner is present in person and expresses remorse for his conduct. Thus, considering that the parent dispute has already been settled, in the opinion of this Court, magnanimous view ought to be taken while exercising power under Section 482 of Code of Criminal Procedure, 1973 for the larger interest and to avoid further waste of precious judicial time. At the same time, since State machinery has been made to work, ends of justice would be served if the petitioner is put to cost.

6. In view of the above, FIR No. 395/2023 and all consequential proceedings arising therefrom are quashed, subject to payment of total cost of ₹50,000/- by the petitioner, out of which ₹25,000/- is to be deposited with the Delhi Police Welfare Society and ₹25,000/- is to be deposited with the Delhi High Court Legal Services Committee within a period of eight weeks from date.



7. Let the proof of deposit of cost be submitted to the concerned IO/SHO.
8. The present petition is allowed in the aforesaid terms.
9. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 19, 2025/DU