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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:013225



CRM-M-18708-2025 (O&M)
Date of decision: 28.01.2026.

ISHWAR SINGH

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rajesh Nain, Advocate,
for the petitioner(s).

Mr. Onkar Singh Wahla, Sr. DAG, Haryana.

Ms. Shruti Sharma, Advocate, for
Mr. Nitin Thatai, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Seeking quashing of FIR bearing No.761 dated 27.07.2023
registered under Section(s) 174-A of the Indian Penal Code, 1860 at Police
Station HTM Hisar, District Hisar and the order dated 06.05.2023 passed by
the Judicial Magistrate First Class, Hisar in case bearing
No.NACT/2538/2020 titled as 'Cholamandlam Investment and Finance Ltd.

Vs. Ishwar Singh' vide which the petitioner has been declared a proclaimed person, the instant petition has been filed.

Learned counsel appearing on behalf of the petitioner(s) submits that the aforesaid FIR had been registered in view of the order dated 06.05.2023 passed by the Judicial Magistrate First Class, Hisar, whereby the petitioner was declared as a proclaimed person with a direction to the SHO of the concerned Police Station, to register the present FIR. He contends that subsequently, Mr. Sunil, GPA holder of the complainant Company appeared before the trial Court on 07.07.2023 and made a statement that the matter had been compromised and that he did not want to pursue the complaint. He contends that in view of the statement, the main complaint case bearing No.NACT/2538/2020 titled as 'Cholamandlam Investment and Finance Ltd. Vs. Ishwar Singh' already stands dismissed as withdrawn vide order dated 07.07.2023. He, therefore, contends that since the main case itself stands withdrawn vide order dated 07.07.2023, the FIR in the present case, which is the outcome of absence in the complaint case as well as the order declaring the petitioner as a proclaimed person deserve to be quashed.

Order dated 07.07.2023, reads as under: -

“Present: Complainant in person with Sh. Ashish Goyal, Advocate.

File taken up today on the application for taken up the case file, which has been moved learned counsel for the complainant.

Complainant Sunil, GPA holder appeared in person with his counsel and has made a statement that complainant-company has compromised the matter with the accused so, he does not want to pursue with the present

complaint and wants to withdraw the same.

*Heard. In view of the statement made by complainant, the present complaint is hereby **dismissed as withdrawn.***

File be consigned to record room after due compliance.

*(Sunil) JMIC,
Exclusive Court N.I.Act.
Hisar/07.07.2023 UID
No.HR0397”*

Learned counsel appearing on behalf of respondent No.2-complainant does not dispute that the main complaint already stands dismissed as withdrawn vide order dated 07.07.2023 and as such, the present petition may be allowed accordingly.

Having heard the learned counsel for the parties and noticing that the main case already stands dismissed as withdrawn vide order dated 07.07.2023 passed by the Judicial Magistrate First Class, Hisar, I am of the opinion that continuance of the proceedings pursuant to order dated 06.05.2023 culminating into registration of FIR bearing No.761 dated 27.07.2023 registered under Section(s) 174-A of the Indian Penal Code, 1860 at Police Station HTM Hisar, District Hisar, is not likely to advance any substantial interest of justice. The same would amount to non-judicious utilization of Court time more-so when dockets of the Court would require focus on substantive litigation. The main case itself having been withdrawn by the respondent No.2-complainant, continuation of proceedings arising on the petitioner's failure to appear in the above case, would be a sheer waste of time, effort and energy.

Consequently, the present petition is allowed. The order dated 06.05.2023 declaring the petitioner a proclaimed person along with consequential FIR bearing No.761 dated 27.07.2023 registered under Section(s) 174-A of the Indian Penal Code, 1860 at Police Station HTM Hisar, District Hisar, are hereby quashed subject to the payment of a cost of Rs.5,000/- to be deposited by the petitioner with DHFWS SKS USERFEES CS OFFICE Panchkula, Account No.50100189689492, IFSC Code HDFC0004832, HDFC Bank, Sector 6, Panchkula, for wasteful deployment of resources only to serve his presence.

January 28, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No