



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

143

**CRM-M-22913-2026
Decided on : 27.04.2026**

Amrik Singh

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Kapish Singla, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 528 of BNSS, 2023 (corresponding to Section 482 of Cr.P.C.), is for quashing/setting aside of FIR No.0184, dated 14.08.2023, under Section 174-A of IPC (S. 209 of BNS, 2023), registered at Police Station Division No.8, Jalandhar (Annexure P-1) (registered after the petitioner was declared as a 'proclaimed person' in Criminal Complaint bearing No. NACT/186/2021, titled as, "Sham Sunder Sehgal v. Amrik Singh etc."), along with all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner submits that in complaint – Sham Sunder Sehgal, filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 (in short, 'NI Act'), i.e., complaint bearing No. NACT/186/2021, dated 12.01.2021, wherein, petitioner was declared as proclaimed person, however, his non-appearance was neither intentional nor deliberate, because, during proceeding of the proclamation, warrant was issued against the petitioner, however, the same was not issued where the petitioner resides, rather, the address of the petitioner is totally different from

the address mentioned in the complaint, so the service was not effected upon the petitioner.

Further submits that meanwhile, petitioner was declared 'proclaimed person' on 15.03.2023 (P-2) and consequently, FIR No.0184, dated 14.08.2023, under Section 174-A of IPC (S. 209 of BNS) was also registered against him.

3. Learned counsel for the petitioner further submits that the main controversy, i.e., complaint case No. NACT/186/2021, has already been resolved and as a result thereto, the complaint case itself has been withdrawn by the complainant on 15.01.2026 (P-6).

In support of his contention, counsel for the petitioner refers to the order dated 15.01.2026 (P-6), passed by learned Judicial Magistrate Ist Class, Patiala, and same is reproduced here-in-below:-

*"Present: Sh. Sahil Malhotra, Advocate for the complainant.
Accused on bail.*

*Today complainant appeared and suffered a statement recorded separately that today he has received lat installment of Rs.14,000/- as per the compromise. He has received Rs.70,000/- in total and now nothing is left towards the accused as he has received full and final amount and in view of that he does not want to pursue with the present complaint and same may kindly be dismissed as withdrawn. He will not file any complaint in future against the accused for any cheque. Therefore, in view of the statement suffered by the complainant, present complaint stands **dismissed as withdrawn**. File be consigned to Record Room after due compliance.*

Date of Order: 15.01.2026

*Sd/-
(Shivani Garg)
Judicial Magistrate Ist Class 7
Jalandhar
UID No . PB00529"*

4. Learned counsel for the petitioner further submits that declaration of the petitioner as proclaimed person, and thereafter, registration

of FIR No.0184, dated 14.08.2023, under Section 174-A of IPC (S. 209 of BNS), would not be considered as material proceeding, once main offence from which such proceedings emerged, has already been withdrawn on the statement of the complainant. In support of the contention, learned counsel relies upon judgment of the co-ordinate Bench of this Court rendered in **CRM-M-47657-2022**, titled as, “**Randhir Singh Tyagi v. State of Haryana and another**”, decided on **17.10.2022**..

5. Notice of motion.

6. On asking of the Court, Mr. Manjinder S. Bhullar, DAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1 – State. Copy of the paper book has already been supplied to him.

7. In view of the settled proposition of law, wherein, several other similar matters have already been decided by this Court, learned State counsel has no serious and authentic submissions before this Court to oppose the prayer made in present petition.

8. Heard.

9. Under these circumstances, once the proceedings under Section 138 of NI Act stands withdrawn on the basis of compromise, continuation of the instant FIR under Section 174-A of IPC is nothing but an abuse of process of law. In this regard reliance can 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) RCR (Criminal) 790**, which has also been followed in **CRM-M-47891-2021**, titled as, “**Jitender Singh v. State of Haryana and another**”, decided on **16.11.2021**, and the order dated **05.09.2022**, passed by this Court in **CRM-M-34291-2022**, titled as, “**Pankaj Sharma v. State of Haryana and another**”.

10. Accordingly, instant petition is **allowed**. Order dated 15.03.2023 (Annexure P-2) declaring the petitioner as 'proclaimed person', and all consequential proceedings arising therefrom including FIR No.0184, dated 14.08.2023, under Section 174-A of IPC (S. 209 of BNS, 2023), registered at Police Station Division No.8, Jalandhar (Annexure P-1), as well as all consequential proceedings arising therefrom, stand quashed *qua* the petitioner.

Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 27, 2026

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*