



CRM-M-52260-2023 (O&M) -1-

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

146

**CRM-M-52260-2023 (O&M)
Decided on: 11.03.2026**

VINOD**.....Petitioner****Versus****STATE OF HARYANA AND ANOTHER****.....Respondents****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Atul Ravish, Advocate (Through VC)
for the petitioner.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. Present petition has been filed by the petitioner under Section 482 of Cr.P.C. for quashing the impugned order dated 21.09.2022 (Annexure P-4) passed by learned Judicial Magistrate Ist Class, Narwana in complaint bearing No.NACT/108/2021 filed under Section 138 of Negotiable Instruments Act, 1881, vide which, petitioner has been declared as proclaimed person and consequential proceedings arising therefrom.

2. Learned counsel for the petitioner contended that the petitioner was declared as proclaimed person on account of his non-appearance before the learned trial Court, which was not intentional. Further, compromise has been effected between the parties and the petitioner has paid the entire amount to the complainant/respondent No.2. Moreover, complaint before the trial Court has been dismissed as withdrawn vide order dated



31.08.2023 (Annexure P-6). Learned counsel requested that impugned order, vide which, the petitioner was declared as proclaimed person be quashed, in the interest of justice.

3. Learned State counsel has filed reply dated 05.03.2026 and submitted that he has no objection if the impugned order is quashed by imposing some cost upon the petitioner.

4. Heard.

5. The inherent jurisdiction under Section 528 BNSS, 2023/Section 5. 482 Cr.P.C., 1973 is primarily aimed at preventing abuse of judicial process and securing the ends of justice. Thus, when the dispute is essentially private in nature and a genuine compromise has been arrived at between the parties, the High Court may intervene to quash the criminal proceedings, recognizing the continuation thereof would be nonproductive and unjust in the given circumstances.

6. Keeping in view the fact that complaint before the trial Court has been dismissed as withdrawn, continuation of the proceedings from the impugned order would be an abuse to the process of law. Hence, present petition is allowed and the order dated 21.09.2022 (Annexure P-4) passed by learned Judicial Magistrate Ist Class, Narwana in complaint bearing No.NACT/108/2021 filed under Section 138 of Negotiable Instruments Act and consequential proceedings are hereby quashed subject to payment of cost of Rs.20,000/- (as cheque in question was of Rs.5,00,000/-) to be deposited with Indian Red Cross Society, Account No.3578152035, IFSC Code-CBIN0280412, Central Bank of India,



Sector-17-B, Chandigarh.

7. Petitioner is directed to place on record the copy of receipt of cost on the file within a period of one month. It is made clear that if the petitioner fails to place on record the copy of receipt, this petition shall be deemed to be dismissed.

(SUBHAS MEHLA)
JUDGE

11.03.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO