



CRM-M-49971-2025

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

CRM-M-49971-2025

Date of Decision: 12.02.2026

Rajbir

..... Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-50075-2025

Date of Decision: 12.02.2026

Rajbir

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sumit S. Bairagi, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (Oral)

1. This common order shall dispose of the above-mentioned petitions, as both emanate from the same complaint.

2. Prayer in the present petitions is for quashing of FIR No.1158 dated 18.12.2022 and FIR No.1002 dated 24.11.2022, both registered under Section 174-A IPC, at Police Station Karnal Civil Lines, District Karnal and order dated 15.11.2019 passed by learned JMIC, Karnal in Criminal Complaint No.NACT-6906 of 2018 under Section 138 of the Negotiable Instruments Act, whereby, the petitioner has been declared proclaimed offender.

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted in a complaint filed under Section 138 of the NI Act, however, during the pendency of the same, the petitioner was declared as proclaimed person vide impugned order dated 15.11.2019 due to his



absence and the impugned FIRs under Section 174-A IPC were registered against him. He submits that even otherwise both the sides have compromised their inter-se dispute. He submits that on the basis of the said compromise, the main complaint itself has also been withdrawn vide order dated 03.02.2023 passed by learned Presiding Officer, Daily Lok Adalat-cum- JMIC, Karnal. He submits that registration of two FIRs for the same cause of action in itself is unsustainable in the eyes of law. He further submits that once the main complaint itself stands withdrawn, prosecution of the petitioner in the impugned FIRs registered under Section 174-A IPC would be nothing but an abuse of the process of the law.

3. Notice of motion.

4. Mr. Sumit Jain, Addl. AG, Haryana, accepts notice on behalf of the State.

5. I have heard counsel for the parties and perused the record. It is apparent that the present FIRs were registered due to non-appearance of the petitioner and he was declared as a proclaimed person vide order dated 15.11.2019. As submitted before this Court, the main complaint itself stands withdrawn.

6. This Court time and again has held that when the main proceedings under Section 138 of NI Act stand compromised, then the continuation of FIR and proceedings under Section 174-A of IPC on account of petitioner having been declared as proclaimed person would be nothing but an abuse of the process of law. This view was taken by the coordinate Bench of this Court in a case titled as “**Ashok Madan vs. State**



of Haryana and another” reported as 2020(4) RCR (Criminal) 87, “Anil Kumar Versus Jitender Kumar and another”, CRM-M-5878- 2022 decided on 06.04.2022 and “Varinder Kumar @ Virender Kumar Versus State of Haryana and another”, CRM-M-42551-2021 decided on 19.04.2022.

7. So, keeping in view the above-said facts, it is clear that due to his absence, the petitioner was declared as proclaimed person and thereafter, two FIRs on the same cause of action were registered. The dispute between the parties has been settled and the root cause of controversy i.e. the complaint has already been withdrawn. Continuation of the proceedings under Section 174-A IPC shall be abuse of the process of the law as the main dispute has already been resolved in view of the settlement effected between the parties. Keeping in view the law settled, FIR No.1158 dated 18.12.2022 and FIR No.1002 dated 24.11.2022, both registered under Section 174-A IPC, at Police Station Karnal Civil Lines, District Karnal alongwith the order dated 15.11.2019, on the basis of which, the present FIRs were lodged and all the consequent proceedings arising therefrom, are quashed, subject to payment of costs Rs.25,000/- to be paid by the petitioner to **Indian Red Cross Society, UT Branch, Sector-11, Chandigarh** within period of seven days from the date of receipt of copy of this order.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 15.11.2019 will come in force and the present petition shall be deemed to have been dismissed.



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8. The petitions stand disposed of.

12.02.2026

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(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No