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

**CRM-M No.62766 of 2024 (O&M)
Date of Decision:22.01.2026**

Sachin Saini

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashwani Antil, Advocate, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

RAJESH BHARDWAJ, J. (ORAL)

CRM-1792-2026

Instant application has been filed for preponing the date of hearing in the main case from 19.02.2026 to some early date of hearing.

In view of the reasons mentioned in the application, same is allowed and the main case is taken up on Board today itself.

Main case

1. Present petition has been filed praying for quashing of FIR No.33 dated 12.02.2020 under Section 174-A of IPC, registered at Police Station Shahzadpur, Ambala along with all subsequent proceedings including order dated 17.08.2024 passed by Id. Judicial Magistrate First Class, Naraingarh vide which the petitioner was declared proclaimed person in case CHI/132/2020 (State Vs. Sachin Saini), being an abuse of



process of law, in view of the fact that original complaint has already dismissed as withdrawn. Further prayer has been made for staying the operation of impugned order and further proceedings before Id. trial Court, during the pendency of the present petition.

2. The precise submission made by learned counsel for the petitioner is that the petitioner was prosecuted in a complaint under Section 138 of Negotiable Instruments Act who was declared a proclaimed person in the same and hence, the impugned FIR was registered. He submits that during the pendency, the petitioner and the complainant had amicably resolved their outstanding issues and thus, the complaint was withdrawn on 04.03.2020. He has further submitted that the petitioner, due to the assurance given by the complainant with regard to the amicable settlement between the parties, went abroad in search of job and unaware about the trial and thus, he was not able to join the trial and lead his defence and the trial Court vide its order dated 17.08.2024, declared the petitioner as proclaimed person. He has submitted that the petitioner is keen to join the proceedings and thus, the PO proceedings & FIR registered against the petitioner would be nothing but an abuse of the process of the Court and the same deserves to be set aside.

3. Learned State counsel on the other hand contends that the petitioner was rightly declared as a proclaimed person. He has submitted that the FIR has rightly been registered against the petitioner and the petitioner is liable to be prosecuted in the said case, as he had failed to appear in the Court despite orders.



4. I have heard counsel for the parties and perused the record.

5. It is apparent that the present FIR was registered due to non-appearance of the petitioner in a complaint case filed under Section 138 of the Negotiable Instruments Act and he was declared as a proclaimed person in the proceedings under the Negotiable Instruments Act. As the main case i.e. complaint filed under Section 138 of the Negotiable Instruments Act already stands dismissed as withdrawn, continuation of the proceedings under Section 174-A of IPC would not serve any purpose as the root cause of controversy i.e. complaint under Section 138 of the Negotiable Instruments Act already stands dismissed.

7. Consequently, the present petition is disposed of subject to payment of costs of Rs.15,000/- to be deposited within 10 days from the date of receipt of copy of this order by the petitioner with the **‘Poor Patients’ Welfare Fund, PGIMER, Chandigarh’** and impugned order dated 17.08.2024, whereby the petitioner was declared as Proclaimed Person by the learned Judicial Magistrate Ist Class, Naraingarh along with all consequential proceedings arising out of the same including the impugned FIR No.33, dated 12.02.2020, under Section 174-A of IPC, registered at Police Station Shahzadpur, Ambala, are hereby quashed.

8. The petitioner is directed to appear before the trial Court within a period of 10 days from the date of receipt of copy of this order and files appropriate application along with receipt of deposit of above-said costs then the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per



law. Petitioner will have protection from arrest for a period of 10 days from the date of receipt of copy of this order.

9. Needless to say that in case the petitioner fails to pay the cost and comply with the aforesaid direction, the order under challenge dated i.e FIR No.33, dated 12.02.2020, under Section 174-A of IPC, registered at Police Station Shahzadpur, Ambala and order dated 17.08.2024, would come in force.

22.01.2026

ps-I

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No