

CRM-M-2963-2025

2026.PHHC:063853



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-2963-2025
Date of decision: 27.04.2026

PARMAL SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Rahul Jaswal, Advocate for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

RUPINDERJIT CHAHAL, J. (ORAL)

1. The instant petition under Section 528 BNS has been filed for quashing of the order dated 21.01.2023 (Annexure P-2) passed by the learned Sub-Divisional Judicial Magistrate, Rajpura, District Patiala declaring the petitioner as a proclaimed person in case COMA-53/2017 dated 01.02.2017 and of the consequential registration of FIR No.162 dated 12.06.2023 (Annexure P-3), registered under Section 174-A IPC at Police Station City Rajpura, District Patiala.

2. Learned counsel for the petitioner submits that the complainant, Narinder Singh, had filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 alleging dishonour of a cheque of Rs.2,50,000/- issued by the petitioner. During the pendency of the complaint, the petitioner could not be served and was declared a proclaimed person, on the basis of which FIR No.162 dated 12.06.2023 under Section 174-A IPC was registered at Police Station City Rajpura. He further submits that the



petitioner was subsequently granted bail and later convicted by the learned trial Court, against which he preferred an appeal. During appeal proceedings, the matter was amicably settled between the parties and the case was referred to the National Lok Adalat, which on 14.12.2024 allowed the appeal and acquitted the petitioner in view of the compromise. He contends that since the petitioner has already been acquitted, hence continuation of the proceedings declaring the petitioner proclaimed person and subsequent FIR under Section 174-A IPC would serve no useful purpose and would amount to abuse of the process of law. Accordingly, prayer is made for quashing of the aforesaid FIR and all consequential proceedings.

3. Learned State counsel opposes the petition and submits that the petitioner was declared a proclaimed person due to his non-appearance, pursuant to which FIR under Section 174-A IPC was validly registered. It is contended that the offence is independent in nature and the subsequent compromise and acquittal in the complaint under the Negotiable Instruments Act does not absolve the petitioner of his liability for evading Court proceedings.

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

5. The object behind issuance of non-bailable warrants or proclamation is only to secure the presence of the accused and in the present case, the petitioner has already been acquitted.

6. In the present case, since the petitioner has already been acquitted and the main complaint has been finally decided, the FIR under Section 174-A IPC cannot continue. Once the main case has ended, the basis

CRM-M-2963-2025

2026.PHHC:063853



of the order dated 21.01.2023 (Annexure P-2), passed by the learned Sub-Divisional Judicial Magistrate, Rajpura, declaring the petitioner as a proclaimed person in case COMA-53/2017 dated 01.02.2017, no longer survives. Consequently, order dated 21.01.2023 (Annexure P-2) and FIR No.162 dated 12.06.2023 (Annexure P-3), registered under Section 174-A IPC at Police Station City Rajpura, and all subsequent proceedings arising therefrom are liable to be quashed being not sustainable in law.

7. In view of the foregoing discussion, the present petition is allowed. The order dated 21.01.2023 (Annexure P-2), passed by the learned Sub-Divisional Judicial Magistrate, Rajpura, declaring the petitioner as a proclaimed person in case COMA-53/2017 dated 01.02.2017, as well as FIR No.162 dated 12.06.2023 (Annexure P-3), registered under Section 174-A IPC at Police Station City Rajpura, along with all consequential proceedings arising therefrom, are hereby quashed.

27.04.2026

Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |