



CRM-M-55063-2025

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

CRM-M-55063-2025 (O&M)
Date of Decision: 29.09.2025

Poonam

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Abhishek Goel, Advocate
for the petitioner.

Rajesh Bhardwaj, J. (Oral)

CRM-39398-2025

Allowed as prayed for.

Main case

1. Prayer in the present petition is for quashing of FIR No.342 dated 17.06.2023 under Section 174-A IPC, registered at Police Station Sonapat City District Sonapat along with order dated 19.05.2023 passed by Ld. trial Court whereby the petitioner has been declared as proclaimed offender in case No.NACT 1461 and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted in a complaint filed under Section 138 of the Negotiable Instruments Act, however, during the pendency of the same, the petitioner was declared as proclaimed person vide impugned order dated 19.05.2023 due to his absence and the impugned FIR under Section 174-A IPC was 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of the said compromise, the complainant has already withdrawn the main complaint vide order dated 18.02.2025. He further submits that when the petitioner has already compromised the dispute with the complainant, prosecution of the petitioner in the impugned FIR registered under Section 174-A would be nothing but an abuse of the process of the law.

3. Notice of motion.

4. On the asking of the Court, Ms. Diya Sodhi, Sr. D.A.G., Haryana, accepts notice on behalf of the respondent-State.

5. Learned State counsel has submitted that the petitioner was rightly declared as proclaimed person, pursuant to which FIR registered was registered against him under Section 174-A IPC, as he had failed to appear before the Court without any reasonable cause. However, she endorsed the factum of compromise between the parties.

6. After hearing counsel for the parties and perusing the record, it is apparent that the present FIR was registered due to non-appearance of the petitioner in a complaint under Section 138 of the Act and he was declared as a proclaimed person vide order dated 19.05.2023. As the parties have compromised the matter and the main dispute between the parties has been resolved and the complaint has already been withdrawn as has been affirmed by his counsel, so keeping in view the fact that the root cause i.e. the complaint under Section 138 of the Act stands compromised between the parties and the complainant has withdrawn the complaint and has no grudge against the petitioner, this Court is of the opinion that continuation of proceedings pursuant to the FIR detailed above, shall be nothing, but an abuse of the process of the Court.



7. 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.

8. 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, FIR was registered. The dispute between the parties has been settled and the complaint has already been withdrawn. Continuation of the proceedings under Section 174-A of IPC shall serve no purpose and would result in wastage of time. Keeping in view the above said facts, FIR No.342 dated 17.06.2023 registered under Section 174-A IPC, registered at Police Station Sonapat City District Sonapat alongwith the order dated 19.05.2023 passed by the learned JMIC, Sonapat vide which the petitioner was declared a proclaimed offender and the present FIR was lodged, and all the consequent proceedings arising therefrom, are quashed subject to payment of Rs.10,000/- as cost to be deposited with **Chief Minister's Relief Fund,**



Punjab (Flood affected families) by the petitioner within a period of 07 days from the date of receipt of copy of this order. The petitioner is directed to file the receipt regarding deposit the costs before the Court of learned Judicial Magistrate Ist Class, Sonapat within a period of 10 days from receipt of copy of this order.

9. Needles to say that in case the petitioner fails to pay the cost and comply with the aforesaid direction, order under challenge dated 19.05.2023 alongwith FIR in question and consequent proceedings would come in force and the present petition would be deemed to have been dismissed.

10. The petition stands disposed of.

29.09.2025

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**(RAJESH BHARDWAJ)
JUDGE**

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