



CRM-M-37457-2024

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

(203-2)

CRM-M-37457-2024

Date of Decision:- 09.09.2025

Sandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.Lovish Arora, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

1. The present petition is for quashing of the FIR No.07 dated **12.02.2021**, under Section **174-A of IPC**, registered at Police Station **NRI, District SAS Nagar, Mohali** which is the outcome of order dated 19.11.2020, whereby the petitioner has been declared proclaimed offender in FIR No.29 dated 07.12.2018, under Sections 406, 498-A of IPC, registered at Police Station NRI, District SAS Nagar, Mohali.

2. Learned counsel for the petitioner submits that, in fact, the matter had been compromised between the parties on 05.07.2024 (Annexure P-13) and the complainant agreed for the quashing of the main FIR No. 29 dated 07.12.2018, under Sections 406, 498A, registered at Police Station NRI, District SAS Nagar, Mohali. However, only due to the order dated 19.11.2020 in the above said FIR, whereby, the petitioner had been declared a proclaimed person, the present FIR has been lodged .



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3. Notice of motion.

4. Mr. Sahil Choudhary, AAG, Punjab, accepts notice on behalf of respondent No.1-State

5. The learned counsel for the petitioner submits that this Court has consistently taken the view that when an FIR under Section 174-A IPC has been registered merely on account of the petitioner being declared proclaimed offender in proceedings pertaining to the main case, then upon the parties having amicably settled their disputes in the main FIR, continuation of proceedings under Section 174-A of IPC would be nothing but an abuse of process of law.

6. To substantiate his arguments, learned counsel for the petitioner has relied upon the judgment passed by a Co-ordinate Bench of this Court in *CRM-M-43813-2018* titled as *“Baldev Chand Bansal Vs. State of Haryana and another”* decided on 29.01.2019, wherein, it has been held as under:-

“Prayer in this petition is for quashing of FIR No.64 dated 15.02.2017 filed under Section 174-A of the Indian Penal Code registered at Police Station Sector-5, Panchkula and all other subsequent proceedings arising thereof as well as order dated 24.10.2016 passed by the trial Court vide which a direction was issued to register the aforesaid FIR.

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Learned counsel for the petitioner has relied upon the decisions rendered by this Court in “Vikas Sharma vs. Gurpreet Singh Kohli and another (supra), 2017, (3) L.A.R.584, Microqual Techno Limited and others Vs. State of Haryana and



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another, 2015 (32) RCR (Crl.) 790 and “Rajneesh Khanna Vs. State of Haryana and another” 2017(3) L.A.R. 555 wherein in an identical circumstance, this Court has held that since the main petition filed under Section 138 of the Act stands withdrawn in view of an amicable settlement between the parties, therefore, continuation of proceedings under Section 174A of IPC shall be nothing but an abuse of the process of law.

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In view of the same, I find merit in the present petition and accordingly, present petition is allowed and the impugned order dated 24.10.2016 passed by Judicial Magistrate, 1st Class, Panchkula as well as FIR No.64 dated 15.02.2017 registered under Section 174-A of the Indian Penal Code at Police Station Sector-5, Panchkula and all other subsequent proceedings arising thereof, are hereby quashed.”

7. In support of his arguments, learned counsel for the petitioner has further relied upon the following judgments passed by the Co-ordinate Benches of this Court:-

- (i) CRM-M-53195-2022 titled as “Nirmaljit Singh Vs. State of Haryana and others” reported as 2023 (244) AIC 676*
- (ii) CRM-M-59826-2022 titled as “Subhash Vs. State of Haryana and another, reported as 2023 (3) R.C.R. (Criminal) 722*
- (iii) CRM-M-47657-2022 titled as “Randhir Singh Tyagi Vs. State of Haryana and another”, reported as 2022 (3) DCR 694*

8. This Court has heard the learned counsel for the parties at length.



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9. Keeping in view the above facts and circumstances as well as the authorities of law referred to hereinabove, the present petition is squarely covered by the same and, hence, **allowed** subject to costs of **Rs.20,000/-** to be paid by the petitioner within a period of **two weeks** from today in the following account:

**Punjab State Legal Services
Authority-Disaster Relief Fund,
A/c No.44426937384,
IFSC Code SBIN0014656.**

10. Consequently, FIR No.07 dated **12.02.2021**, under Section **174-A of IPC**, registered at Police Station **NRI, District SAS Nagar, Mohali** and all the subsequent proceedings emanating therefrom are quashed.

September 09, 2025

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No

**(ALOK JAIN)
JUDGE**