



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

133

CRM-M-47636-2025 (O&M)

Date of decision: 28.08.2025

Rajesh Ahuja and others

...Petitioners

VERSUS

The State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Vipul Aggarwal, Advocate for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of the FIR No.1412 dated 02.06.2023 under Section 174-A of the Indian Penal Code, 1860 registered at Police Station Shivaji Nagar, Gurugram alongwith all the subsequent proceedings arising out of Complaint No.NACT/882 dated 09.01.2018 under Section 25 of the Payment & Settlement Systems Act, 2007.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner was initially arraigned as an accused in the proceedings arising out of the aforesaid complaint. He contends that the said proceedings have already been finalised and the outstanding payments have been paid. He contends that on account of the petitioner not being able to attend the Court proceedings in the said complaint, the proclamation proceedings had been initiated against him pursuant to the order dated 09.03.2023.



3. Counsel for the petitioner further contends that the present petition has been rendered infructuous since the Police had filed the final report in the said FIR. The trial Court however specifically recorded in its order dated 18.08.2025 that in the case of '*Sher Singh Vs. State of Haryana*' reported as *2017(2) RCR (Criminal) 47*, this Court vide judgment dated 02.05.2016 has held that an FIR under Section 174-A of IPC is not maintainable and the cognizance of the same can be taken only upon a complaint made under compliance of Section 195 Cr.P.C. Hence, in view of a bar on taking cognizance, the matter was disposed of by the trial Court.

4. In view of the above, the present petition is ***disposed of*** as having been rendered infructuous.

(VINOD S. BHARDWAJ)
JUDGE

28.08.2025

Mangal Singh

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