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

CRM-M-57870-2022

Date of Decision: 11.05.2026

MANOJ KUMAR AND ANR.

... Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner(s).

Ms. Navnoor Kaur, Advocate with
Ms. Arshdeep Kaur, Advocate for
Mr. Munish Dev Sharma, Advocate
for respondent No.2.

Mr. T.P. Singh, Sr. DAG Haryana for respondent No.1.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of Cr.P.C. is for quashing of the FIR No.829 dated 04.11.2022 under Section 174-A IPC registered at Police Station Hansi City, District Hansi.

The counsel for the State submits that in fact, the PO order is dated 29.10.2022. Petitioner No.1/Manoj Kumar surrendered before the concerned Court on 31.10.2022 and petitioner No.2/Kanhiya Lal surrendered before the concerned Court on 03.11.2022. The FIR came to be registered only on 04.11.2022. Now, the petitioners stand convicted for having committed an offence under Section 138 of the NI Act vide a judgment dated 29.02.2024. Therefore, the present petition is liable to be dismissed.

I have heard the learned counsel for the parties.

On 13.12.2022, the following order was passed:-



“Learned counsel for the petitioners submits that the complaint under Section 138 of the Negotiable Instruments Act, 1881 was filed by the complainant-respondent No.2. The petitioner could not appear before the trial Court and was declared as proclaimed persons (Annexure P-3). Learned trial Court ordered registration of the FIR under Section 174-A of IPC and the FIR No.0829 dated 04.11.2022 was registered at Police Station Hansi City, District Hansi. The petitioners had already appeared and surrendered in the trial Court and granted bail (Annexures P-4 and P-5) respectively.

Learned counsel for the petitioners has placed reliance upon the judgments of the Co-ordinate Bench of this Court in the case of Vikas Sharma Vs. Gurpreet Singh Kohli and another, passed in CRM-M-32465- 2017, decided on 13.09.2017 and Raj Kumar Vs. State of Haryana, passed in CRM-M-5895-2012, decided on 13.09.2012.

Notice of motion.

On the asking of the Court, Mr. Karan Sharma, DAG, Haryana, accepts notice on behalf of respondent No.1-State and seeks time to file reply, if any.

Adjourned to 07.03.2023.

Meanwhile, further proceedings in the impugned FIR No.0829 dated 04.11.2022 are hereby stayed.”

A perusal of the aforementioned order would reveal that the petitioner No.1/Manoj Kumar surrendered before the concerned Court on 31.10.2022 and petitioner No.2/Kanhiya Lal surrendered before the concerned Court on 03.11.2022. They surrendered before the concerned Court soon after they were declared as proclaimed offenders but prior to the registration of the FIR No. 829 dated 04.11.2022 under Section 174-A IPC registered at Police Station Hansi City, District Hansi.

In view of the fact that the petitioners have appeared soon after they were declared proclaimed offenders and prior to the registration of the FIR, the FIR No. 829 dated 04.11.2022 under Section 174-A IPC registered at Police Station Hansi City, District Hansi is quashed.



All the pending miscellaneous applications, if any, stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 11, 2026

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Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No