

Court No. - 28

Case :- APPLICATION U/S 482 No. - 10799 of 2023

Applicant :- Masers Daman Trading Company Thru. Its
Proprietor Neeraj Rai @ Neeraj Kumar Rai

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Lko.
And Another

Counsel for Applicant :- Anil Kumar Tiwari

Counsel for Opposite Party :- G.A., Dharmendra Kumar
Singh, Rohit Kumar Singh

Hon'ble Shree Prakash Singh, J.

Heard Sri Anil Kumar Tiwari, learned counsel for the applicant,
Sri Rohit Kumar Singh, learned counsel for opposite party no. 2
and Sri Nirmal Kumar Pandey, learned AGA for the State.

This application has been filed for quashing the complaint case
number 1744 of 2019 instituted under section 138 of the N.I.
Act.

It has been informed by the learned counsel for the parties that
both the parties are present before this Court and the
controversy has already been resolved by way of amicable
settlement dated 03.11.2023, whereby, the parties are agreed
that the amount Rs.3,50,000/- shall be given by the applicant to
the opposite party no. 2 vide demand draft no. 509199 dated
16.10.2023.

The applicant Neeraj Kumar Rai and the opposite party no. 2,
Sudeep Kumar Chandel are present before this Court and they
are identified by their respective counsels in the Court itself.

The copy of the demand draft no. 509199 has been handed over
to Sudeep Kumar Chandel, opposite party no. 2 in the Court.

The private respondent present before this Court stated that
issue has already been put to rest by way of compromise deed
dated 03.11.2023 and he has received the demand draft
amounting Rs.3,50,000/- and therefore, he has no objection if
the impugned criminal proceeding is quashed.

Considering the arguments of the learned counsel for the
parties, the statement of the applicant as well as the opposite
party no. 2 who are present before this Court and the facts
mentioned in the short counter affidavit, it transpires that the

amount in dispute has been paid to the opposite party no. 2 and the matter has already been settled between the parties by way of compromise deed and thus, no fruitful purpose would subserve for allowing further criminal proceeding.

Resultantly, the criminal proceeding arising out of Complaint Case No. 1744 of 2019 are hereby quashed.

Consequences shall be followed.

Consigned to record.

Order Date :- 8.11.2023

Anurag