

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.29282 of 2013

and

M.P.No.1 of 2013

1. Hale Electronics (IN) Pvt. Ltd.,
Rep. by Umesh T.P.,
No.270A & 270B, I Floor,
Barma Indian Colony,
Palavakkam Village,
Chennai - 600 096.

2. Hale Electronics (IN) Pvt. Ltd.,
Mr.Umesh T.P., Director
No.270A & 270B, I Floor,
Barma Indian Colony,
Palavakkam Village,
Chennai - 600 096.

3. Hale Electronics (IN) Pvt. Ltd.,
Mr.Ragesh, K.L., Director,
No.270A & 270B, I Floor,
Barma Indian Colony,
Palavakkam Village,
Chennai - 600 096.

...Petitioners/Accused

Vs.

Sandeep Chouraria,
S/o. Bijay Singu,
No.19, Audiappa Street,
Purasaiwakkam, Chennai - 600 084,
Rep. by Power Agent
Mr.M.S.Kannan,
S/o. M.R.Srinivasan,
No.19, Audiappa Street,
Purasaiwakkam, Chennai - 600 084.

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to call for records in C.C.No.2463 of 2013 on the file of FTC-I, Egmore, Chennai and quash the same.

For Petitioners : Mr.S.Thanka Sivan

For Respondent : Mr.M.Sudhan

O R D E R

This Criminal Original Petition has been filed praying to quash the C.C.No.2463 of 2013 on the file of Fast Track Court-I, Egmore, Chennai.

2. Heard Mr.S.Thanka Sivan the learned counsel for the petitioners and Mr.M.Sudhan, the learned counsel for the respondent.

3. The respondent herein filed C.C.No.2463 of 2013 for the offence under Section 138 of Negotiable Instruments Act against the petitioners herein and the case is now pending on the file of Fast Track Court No.I, Egmore, Chennai. While so, the complainant and the accused have arrived at a compromise and they have filed Compromise Memo dated 09.07.2015 before this Court, wherein, it has has been agreed as follows :

"1. The party of the 3rd part has this day paid the party of the 1st part a sum of Rs.50,000/- (Rupees Fifty Thousand Only) by way of two Demand Draft dated 23.06.2015 bearing Nos.018058 for Rs.30,000/- & dated 01.07.2015 bearing No.018130 for Rs.20,000/- drawn on Axis Bank, R.A.Puram Branch, in favour of the party of the 1st part in full and final settlement of all claims of the parties of the 1st part and 2nd part as against the party of the 3rd part.

2. Further, the party of the 1st part has this day handed over the original signed cheque bearing No.228113 & 304767 drawn on State Bank of Patiala to the party of the 3rd part.

3. Further, the party of that 1st part has this day has filed petition under Section 257 Code of Criminal Procedure in C.C.No.2463 of 2013 on the file of the I Fast Tract Court, Egmore and has

withdrawn the said C.C.No.2463 of 2013.

4.The parties hereto agrees and admits that the party of the 3rd part does not owe any money whatsoever to the parties of the 1st part and party of the 2nd part.

5.The parties of the 1st part and 2nd part have specifically made clear that there is no liability or claim as against the party of the 3rd part.

6. The parties hereto have mutually agreed that there is no dispute or claim in between the parties hereto and all their claim and disputes as against each other has been fully and finally settled."

4. In view of the settlement arrived between the parties, the prosecution in C.C. No.2463 of 2013 on the file of Fast Track Court-I, Egmore, Chennai, is hereby quashed and the above Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

The Presiding Officer,
Fast Track Court-I,
Egmore, Chennai - 600 008.

1 CC to Mr.S.Thanka Sivan, Advocate SR.No. 45319

Cr1.O.P.No.29282 of 2013

PUR (CO)
PSI (28.08.2015)