

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

CRM-M-13771-2013

Date of decision: 16.07.2015

K.K. Tandon and anr.

... Petitioners

Vs.

M/s Gopi Chand Roshan Lal

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Vaneet Soni, Advocate
for the petitioners.

Mr. R.L. Batta, Senior Advocate with
Mr. Nikhil Batta, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioners, by way of instant petition under Section 482 Cr.P.C., seek quashing of complaint No.1800/2 dated 23.12.2011 (old complaint No.261/2 dated 18.12.2001) (Annexure P-1) under Section 138 of Negotiable Instruments Act ('N.I. Act' for short) and also the subsequent proceedings arising therefrom.

Notice of motion was issued and pursuant thereto, matter was referred to the Mediation Centre. During the pendency of the present petition, parties have arrived at an amicable settlement. In compliance of the amicable settlement, complainant has received the agreed amount and final installment of Rs.50,000/- has been paid to the complainant by the petitioner in the Court today.

Learned Senior Counsel for the respondent-complainant fairly states that in view of the settlement arrived at between the parties,

complainant undertakes to withdraw his complaint under Section 138 of N.I. Act, pending before the learned trial Court and he will do so within a period of three weeks from today. Learned Senior Counsel for the complainant further submits that so far as the execution of the Civil Court decree is concerned, in view of the settlement arrived at between the parties, complainant-respondent shall also withdraw his execution application, which is pending consideration before the learned executing Court, within a period of three weeks from today.

In view of the above, present petition is disposed of with a direction to the learned trial Court/Judicial Magistrate 1st Class, Ludhiana to release the amount of Rs.1 lac which stands deposited with it vide receipt challan dated 18.05.2013, in compliance of the order dated 01.05.2013 passed by this Court. This amount of Rs.1 lacs shall be released in favour of the complainant against proper receipt so as to enable him to withdraw his complaint, in view of the mutual settlement arrived at between the parties.

With the abovesaid observations made and directions issued, present petition stands disposed of.

[RAMESHWAR SINGH MALIK]
JUDGE

16.07.2015
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