

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM No.M-22888 of 2015

Date of Decision: 13.08.2015

Sumit Goyal

...Petitioner

VERSUS

Rajiv Malhotra & Anr.

....Respondents

CORAM : HON'BLE MR.JUSTICE (Dr.) SHEKHER DHAWAN

Present:- Mr.V.M.Gupta, Advocate for the petitioner.

Shekhar Dhawan, J. (Oral)

Present petition u/s 482 Cr.PC is for quashing of complaint filed u/s 138 of The Negotiable Instruments Act, 1881 pending before the Judicial Magistrate Ist Class, Malerkotla. The contention raised by learned counsel for petitioner is that petitioner has already deposited the amount of cheque along with 10 % of cheque amount as per direction given by Hon'ble Apex Court in case Damodar S.Prabhu v. Sayed Babalal H. 2010(5) SCC 663, but still, the Trial Magistrate has not disposed of the complaint, which is otherwise compoundable. The trial Court is directed to decide the matter as per judgment of Hon'ble Supreme Court in Damodar S.Prabhu's case (supra).

The petition is disposed of accordingly.

13.08.2015

AS

(SHEKHER DHAWAN)
JUDGE