

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-38638 of 2015 (O&M)

Date of decision : 03.12.2015

Rakesh Khosla

..... Petitioner

versus

Ramesh Kumar

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Munish Verma, Advocate
for the petitioner

Mr. Rishu Mahajan, Advocate
for the respondent

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of the complaint bearing No. 107 dated 4.5.2012/25.7.2012 filed under Section 138 of the Negotiable Instruments Act and the consequent proceedings arising out of the same.

Learned counsel for the petitioner states that the matter has been compromised and a demand draft of Rs. 35,030/- in lieu of cheque amount and also a sum of Rs.15,000/- in lieu of interest had been handed over to the counsel for the respondent on the last date of hearing. He further states that the entire amount had been paid and the petitioner had paid 5% of the cheque amount as per the terms of law laid down in ***Damodar S Prabhu V. Sayed Babalal H***, 2010(2) RCR (Criminal) 851.

On the last date of hearing, the parties were directed to appear before the trial Court.

Report has been received from the trial Court after

statements of the parties were recorded regarding the compromise.

The trial Court has also sent the statements of parties.

Keeping in view the fact that the matter has been finally settled, the liability is discharged; the present petition is allowed and the aforesaid complaint and all the consequent proceedings arising out of the same are quashed.

December 03, 2015

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**(ANITA CHAUDHRY)
JUDGE**