

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M-9980 of 2013
Date of Decision:-02.11.2015

Bupinder Singh

...Petitioner

Versus

M/s. Cholamandlam Investment and Finance Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Nakul Sharma, Advocate for the petitioner.

Ms. Puja Chopra, Advocate for the respondent.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of the complaint (Annexure P-1) bearing Criminal Complaint No.RBT/859, dated 23.06.2012, titled as “M/s. Cholamandalam Investment & Finance Limited Vs. Bhupinder Singh” filed under Section 138 read with Section 142 of the Negotiable Instruments Act (for brevity “the Act”), as well as summoning order dated 14.07.2012 (Annexure P-2), vide which learned Judicial Magistrate Ist Class, Ludhiana has summoned the petitioner to face trial under Section 138 of the Act.

Learned counsel for the petitioner contends that pursuant to the order dated 06.02.2015, the petitioner has deposited the agreed amount of ₹60,000/- and has requested the respondent to issue “No Objection Certificate”.

Learned counsel for the respondent does not dispute the fact about the deposit of agreed amount by the petitioner. However, as regards the issuance of 'No Objection Certificate' in this case, learned counsel for the respondent

undertakes to issue 'No Objection Certificate' to the petitioner, if not earlier issued to him, within a period of two weeks from today.

Since the matter has been compromised between the parties, following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)* and approved by the Hon'ble Supreme Court in *Gian Singh vs. State of Punjab and others, (2012)10 SCC 303*, this petition is allowed and complaint (Annexure P-1) bearing Criminal Complaint No.RBT/859, dated 23.06.2012, titled as *"M/s. Choramandalam Investment & Finance Limited Vs. Bhupinder Singh"* filed under Section 138 read with Section 142 of the Negotiable Instruments Act (for brevity "the Act"), as well as summoning order dated 14.07.2012 (Annexure P-2), are hereby quashed.

(HARI PAL VERMA)
JUDGE

November 02, 2015
Anjal