

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

Crl. Appeal S-1073-SBA of 2001

Date of Decision : March 2, 2016

S.S.A.Hire Purchase Pvt. Ltd.

.....Appellant

VERSUS

Charan Dass

.....Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Mr. Ajaivir Singh, Advocate
for the appellant.

Mr. Rahul Sachdeva, Advocate for
Mr. Munish Gupta, Advocate
for the respondent.

T.P.S. MANN, J. (Oral)

Complainant S.S.A. Hire Purchase Pvt. Ltd., has filed the present appeal for challenging the judgment dated 13.5.1999 passed by learned Sub-Divisional Judicial Magistrate, Garhshankar, whereby, its complaint under Section 138 read with Section 142 of the Negotiable Instruments Act and Section 420 IPC stands dismissed.

The dispute between the parties was dishonouring of cheque No. 902463 dated 10.7.1995 for Rs.1,47,000/- issued by respondent Charan Dass in discharge of the outstanding liability. The said cheque was first dishonoured on 11.7.1995, and, thereafter, on 4.11.1995 on account of insufficiency of funds.

The trial Court vide impugned judgment dismissed the criminal complaint instituted by the appellant. Aggrieved of the same, the appellant filed the aforementioned appeal. When the appeal came up for final hearing on 21.10.2015, joint request was made by learned counsel for the parties for an adjournment so as to obtain instructions. On the adjourned date, i.e. 2.12.2015, learned counsel for the parties submitted that the parties were not averse to reach at amicable settlement. Accordingly, the parties along with their counsel were asked to appear before the Mediation and Conciliation Centre.

Report has been received from the Director, Mediation and Conciliation Centre, wherein, it stands mentioned that the parties have settled the matter in terms of agreement dated 10.2.2016. As per the agreement, the respondent shall pay a consolidated amount of Rs.55,000/- to the appellant as full and final payment towards the settlement of cheque dispute between them. Out of the said amount, Rs.15,000/- has to be paid by the respondent at the rate of Rs.3,000/- per month starting from 1.3.2016 up to 31.7.2016. The remaining amount of Rs. 40,000/- will be paid by the respondent on 31.8.2016.

Learned counsel for the appellant submits that in view of the compromise arrived at between the parties, he may be allowed to withdraw the appeal.

Dismissed as withdrawn.

Parties will remain bound by their statements made
before the Mediation and Conciliation Centre.

March 2, 2016
amit rana

(T.P.S. MANN)
JUDGE