

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-13284 of 2013
Date of decision:- May 09, 2016

Kapil Singla and another

...Petitioners...

versus

Kiran Gupta

...Respondent...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Atul Goyal, Advocate
for the petitioners.

Mr. Sham Lal Bhalla, Advocate,
for the respondent.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

JASPAL SINGH, J.

Instant petition has been preferred under Section 482 of the Code of Criminal Procedure seeking quashing of complaint case bearing No.899, dated 12.05.2011, (Annexure P-1) under Section 138 of the Negotiable Instrument Act, 1881 (for short, "Act") as well as order dated 09.04.2013 dismissing the application of petitioner under Section 147 of the Act.

2. Report of learned Judicial Magistrate has been received, in which, it has been categorically observed that statements have been made by the parties voluntarily, without any threat, inducement,

pressure and as per their wish. The compromise effected between the parties seems to be genuine and for the purpose of bringing peace, harmony and curtailing the litigation. Even otherwise, the matter involved is personal in nature, which has been amicably put at rest.

3. So, in view of above circumstances, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

4. Consequently, the instant petition stands allowed and complaint case bearing No.899, dated 12.05.2011, under Section 138 of the Negotiable Instrument Act, 1881 and all other consequential proceedings arising therefrom are quashed qua the petitioners.

May 09, 2016
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(JASPAL SINGH)
JUDGE