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

CRR No.468 of 2016 (O&M)

Date of decision: September 15, 2016

Sham Lal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. K.S. Dhaliwal, Advocate
for the petitioner.

Mr. K.S. Sidhu, AAG Punjab.

None for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the petitioner and learned State
counsel. Mr. Mayank Mathur, Advocate for the complainant is absent.

On 13.07.2016, this Court had made the following order:-

“CRM-20577-78-2016

Both the applications are allowed as prayed for.

CRR-468-2016

*There is motion for compounding the offence in
relation to the conviction under Section 138 of the
Negotiable Instruments Act by both the parties, i.e.
complainant and the petitioner-accused. The amount
involved is to the tune of ₹10 lacs and in the agreement,
Annexure P5, the first column is that the complainant has
foregone the entire claim, i.e. for a sum of ₹10 lacs. It is
necessary to have verification done from the Illaqa
Magistrate for recording their statements.*

In the light of the compromise, prima facie, I think that the petitioner should be released on bail till pending further orders.

Hence, he is ordered to be released by suspending his sentence to the satisfaction of trial Court.

In the meantime, parties to appear before the Illaqa Magistrate on 25.07.2016 at 10.00 a.m. for recording their statements.

Adjourned to 15.09.2016 for awaiting the report from learned Illaqa Magistrate.”

Since this Court had a doubt, the matter was referred to Illaqa Magistrate for recording of statements of the complainant. Now, there is a report issued by the District & Sessions Judge, Patiala along with the statement of the complainant duly signed by him before JMIC, Patiala. The compromise has been stated to be genuine by the learned Magistrate. Hence, I make the following order:-

ORDER

- (i) CRR No.468 of 2016 is allowed.
- (ii) Criminal complaint No.1365/2012 is quashed on the basis of compromise.

(A.B. CHAUDHARI)
JUDGE

September 15, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No