

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

CRM-M-1197-2016 (O&M)

Date of decision : 28.04.2017

KIRAN BHANOT & ORS

...Petitioner(s)

Versus

STATE OF PUNJAB & ORS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Aalok Jagga, Advocate for the petitioner (s).

Mr. Luvinder Sofat, AAG, Punjab

Mr. Deepak Aggarwal, Advocate for respondent Nos.2 and 3.

JITENDRA CHAUHAN, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.99 dated 19.09.2014, registered under Sections 406, 420, 467, 468, 471, 472, 473 and 120-B IPC, at Police Station Division No.8 (Kailash Chowk), Ludhiana and all consequential proceedings arising therefrom.

On 28.02.2017, this Court had passed the following order :-

“Four demand drafts of Rs.5 lakh each and three post dated cheques issued in favour of complainant, namely, Anil Bedi, has been handed over to his counsel, a photocopy of which is taken on record as Mark 'A'. Learned counsel for the petitioners assures that cheques issued by him will be honoured and he also undertakes to repay the remaining amount of Rs.12 lakh within three months from today.

Accordingly, the order dated 04.08.2016 vide which the petitioner was ordered to be enlarged on interim bail within a period of two months is extended till the next date of hearing.

CRM-M-1197-2016*Post again on 21.04.2017.**Interim order to continue.”*

The learned counsel for the petitioners states that in pursuance of the order dated 28.02.2017, amount of Rs.40 lakh has already been paid, whereas amount of Rs.12 lakh is being paid today by way of two cheques (Rs.6 lakh each), photocopy of the same is taken on record as Mark 'A'. The learned counsel, on instructions, assures that the petitioners have the necessary funds in their account and the said cheques shall be encashed on presentation. The learned counsel for respondent Nos. 2 and 3 states that he has no objection, if the present petition is allowed.

In view of the compromise reached between the parties, the present petition is allowed. FIR No.99 dated 19.09.2014, registered under Sections 406, 420, 467, 468, 471, 472, 473 and 120-B IPC, at Police Station Division No.8 (Kailash Chowk), Ludhiana and all consequential proceedings arising therefrom are hereby quashed qua the present petitioners.

However, respondent Nos.2 and 3 shall have the liberty to revive the present petition, in case cheques in question, handed over today in the Court, are dishonoured.

28.04.2017*ashok***(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No