

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15027-2017

Date of Decision: 01.05.2017

Chander Pal

.....Petitioner

VS.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sanchit Punia, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

The petitioner was a respondent-accused in a complaint filed by present respondent no. 2, for the alleged commission of an offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

By this petition he seeks that the demand draft deposited by him in favour of respondent no. 2, pursuant to a statement made before this Court in CRM-M-936-2016, as recorded in the order of this Court dated 08.02.2016, a copy of which has been annexed as Annexure P-4 with the petition, be released to the said respondent, in view of the fact that the matter has been fully compromised between the parties and in fact respondent no. 2 has even withdrawn his complaint, as recorded in the order of the learned Judicial Magistrate Ist Class-cum-Presiding Officer, Lok Adalat, Yamuna Nagar at Jagadhri, vide his order dated 29.04.2016, a copy of which has been annexed as Annexure P-6 with the petition.

Notice of motion.

On the asking of the Court, Mr. Sharad Kumar Yadav, D.A.G., Haryana, accepts notice on behalf of respondent no 1-State.

Mr. Namit Khurana appears and accepts notice on behalf of respondent no. 2 and has filed his power of attorney which is taken on record.

Copies of the petition be handed over to learned counsel for respondents no. 1 and 2 during the course the day.

Learned counsel for respondent no. 2 does not deny the aforesaid contention of learned counsel for the petitioner, including the fact that the matter has been compromised and the complaint itself has been withdrawn by respondent no. 2.

Consequently, this petition is allowed and the learned Chief Judicial Magistrate/Ilaqua Magistrate, Yamuna Nagar at Jagadhri, is directed that the demand draft deposited by the present petitioner in that Court (for an amount of Rs. 2,00,000/-), be released to respondent no. 2.

May 01, 2017
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.