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

**CRM-M-31368-2017
Date of Decision: 24.08.2017**

M/s Gian Chand and Sons (P) Ltd. and others

..... Petitioners

Versus

Mohini Malhotra

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. N.S. Sidhu, Advocate,
for the petitioners.

SUDIP AHLUWALIA J. (ORAL)

This petition has been preferred against the order passed by the Ld. Additional Sessions Judge, Ludhiana in CRA/299/2016 on 03.08.2017. On account of the absence of the petitioners/appellants on that date, the Ld. Court below hearing the appeal, recalled its order dated 13.06.2016, whereby sentence of the petitioners was suspended. It transpires that in any case, the matter is now fixed on 28.08.2017, for addressing final arguments.

2. Ld. counsel for the petitioners submits that his clients' application for compounding the matter is already pending before the Ld. Appellate Court, on which appropriate orders need to be passed before the appeal is finally decided on merits. Ld. counsel further submits that in addition to the disputed cheque amounts, his clients are also willing to pay additional reasonable compensation to the complainant for the delay occasion, and therefore, seeks appropriate directions from this Court.

3. In view of the aforesaid submissions, and in the interest of justice, the impugned order passed by the Ld. Appellate Court is set aside

and the Court is directed to pass an appropriate order on the pending petition of compounding dated 25.01.2017 after hearing both the sides. It is further made clear that in case, the matter is not resolved finally by way of compounding application, the Ld. Appellate Court would be required to finally dispose off the appeal on merits within two months from the date of communication of this order.

4. Disposed off.

24.08.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No