

502

CRM-M No.6933 of 2011

Yogesh Kumar Sharma

Vs.

Rohit Steel through its Propriet Rajesh Kumar

Present: None for the petitioner.

None for the respondent.

* * * *

On the last date of hearing, learned counsel for the parties were informed. However, none appeared. Fresh notices were ordered to be issued to the parties for today at the address given in the Memo of Parties and learned counsel for the parties were also ordered to be informed of the date fixed. Today, as per office report, notice issued to the petitioner has been received back with the report that the Nuchem Ltd. has been closed for the last many years. Notice issued to the respondent has been received back duly served. However, none has appeared.

Regarding this matter, another CRM-M No.35251 of 2010 was filed for quashing of criminal complaint No.436 dated 1.11.2010, which was dismissed as withdrawn by Hon'ble High Court vide order dated December 01, 2010, with liberty to the petitioner to move an application for compounding of offence before the trial Court, in view of law laid down by Hon'ble Apex Court in **Damodar S. Prabhu Vs. Sayed Bablal.H. (2010) 5 SCC 663.**

In view of these facts, we are of the view that the main complaint must have been decided in view of compromise by trial Court and, hence, the present petition has become infructuous. However, as nobody is appearing for the parties, the present petition is ordered to be

502

CRM-M No.6933 of 2011

-2-

consigned to the record room with liberty to the parties to get it revived, if so desire.

(R.K.Nehru)
President

22.05.2017

P.Seth

(Ram Chand Gupta)
Member