

202-A

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

**Date of decision: May 02, 2017
CRM-M-42927 of 2016**

Amar Singh

.....Petitioner

Versus

Mahindra and Mahindra Financial Service Limited
and another

.....Respondents

CRM-M-43847 of 2016

Amar Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

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

Mr. Nitin Thatai, Advocate
for respondent No.1 (in CRM-M-42927 of 2016 and
for respondent No.2 (in CRM-M-43847 of 2016).

Mr. G.S. Salwara, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Both these petitions would be disposed of by this common
order.

In CRM-M-42927 of 2016, there is challenge to the order
dated 05.09.2016 (Annexure P-2) by which the petitioner was declared
proclaimed offender in case complaint No.1301 of 07.07.2015 titled as
“Mahindra and Mahindra Financial Service Ltd. and Amar Singh”.

The criminal case related to Section 138 of the Negotiable Instruments

Act, 1881 filed by respondent No.1-Finance Company, was for bouncing of cheque.

Learned counsel for respondent No.1-Finance Company makes a categorical statement that the amount under the cheque has been cleared by the petitioner to respondent No.1-Finance Company and has infact, closed the loan amount with respondent No.1-Finance Company and therefore, respondent No.1-Finance Company is hardly interested in prosecuting its case.

Statement is accepted.

In my opinion, since the petitioner has cleared the entire loan amount of respondent No.1-Finance Company, the said dispute must come to an end.

In that view of the matter, the impugned order dated 05.09.2016 passed in case complaint No.1301 of 07.07.2015 as well as the complaint itself titled as “Mahindra and Mahindra Financial Service Ltd. and Amar Singh”, are quashed in view of the statement made above. Consequently, the interim order dated 07.12.2016 granting *ad interim* anticipatory bail to the petitioner, is also made absolute.

Petitions stand disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

May 02, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No