

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

**CRM-M No.14493 of 2018 (O&M)
Date of Decision: 08.05.2018**

N.R.Munjal, M.D. of Essix Bioscience Ltd. and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. S.S.Dinarpur, Advocate for the petitioners.

Mr. Tanvir Joshi, Assistant Advocate General, Punjab
for respondent No.1/State.

Mr. Rishabh Rathore, Advocate for applicant/respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

CRM No.16815 of 2018

Application is for placing on record the reply by way of short affidavit dated 04.05.2018 on behalf of respondent No.2-Umesh Kumar.

For the reasons stated in the application, the same is allowed subject to all just exceptions. Accompanied reply is taken on record. Registry to tag the same at the appropriate place.

CRM stands disposed off.

CRM-M No.14493 of 2018

Present petition has been filed under Section 482 Cr.P.C. for quashing of impugned order dated 05.03.2018 (**Annexure P-3**), passed by the learned Judicial Magistrate 1st Class, Dera Bassi, vide which the petitioners were

declared as proclaimed offenders in Complaint dated 04.07.2016 (**Annexure P-1**) bearing No.NACT/616/2016, filed under Section 138 of the Negotiable Instruments Act, along with all consequential proceedings arising therefrom on the basis of compromise dated 20.03.2018 (**Annexure P-4**) entered into between the parties.

In pursuance of the notice of motion, issued by this Court on 06.04.2018, reply by way of an affidavit has been filed on behalf of respondent No.2/complainant and the relevant part of the same reads as under:-

- “1. That the petitioners have approached this Hon'ble Court for quashing of the order dated 05.03.2018 (Annexure P-3) on the basis of the compromise/statement dated 20.03.2018 (Annexure P-4) made by the deponent.*
- 2. That the deponent does not have any objection for quashing of the impugned order dated 05.03.2018 (Annexure P-3), because the matter between the parties have been settled.*
- 3. That therefore the deponent does not have any objection for allowing the present petition. ”*

Perusal of aforesaid paragraphs 1 to 3 clearly reveals that the complainant has no objection in case the impugned order dated 05.03.2018 is quashed and set aside.

In view of the agreed stand taken by both the parties, the present petition is allowed and the impugned order dated 05.03.2018 (**Annexure P-3**) along with all consequential proceedings resulting therefrom, qua the petitioners, are hereby quashed and set aside.

May 08, 2018

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned	Yes
Whether Reportable	Yes