

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

202

CRM-M-40478-2016

Date of Decision:05.07.2018

Devender

.....Petitioner

Versus

Madan Kumar

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Amit Kumar Jain, Advocate,
for the petitioner.**

None for the respondent.

HARI PAL VERMA, J.(Oral)

Learned counsel for the petitioner states that the petitioner has compromised the matter and has paid the cheque amount after arranging funds by selling his assets and he is a poor person. He further states that as the matter has been compromised between the parties at the appellate stage, in view of the judgment of Hon'ble Apex Court in **Madhya Pradesh State Legal Services Authority Versus Prateek Jain and another, 2014(4) R.C.R. (Criminal) 178 (DB)**, Lok Adalat should have waived the compounding fee.

Admittedly, the petitioner has not raised such plea before the courts below.

Faced with the situation, learned counsel for the petitioner seeks permission of the Court to withdraw the present petition, however, with liberty to approach the lower appellate court for the relief claimed in the petition.

Dismissed as withdrawn with liberty aforesaid.

July 05, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No