

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

108

CRM No.M-4955 of 2018
Date of decision:14.2.2018

Hardev Singh

... Petitioner

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.M.S.Bajwa, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

Pursuant to the order dated dated 6.2.2018, learned counsel for the petitioner has produced today in Court a copy of an affidavit (in Gurmukhi) dated 21.9.2017, shown to be executed by the petitioner, Hardev Singh, stating to the effect that the matter had been compromised between him and respondent no.6, Sukhdev Singh, and consequently, if a petition is filed for quashing the complaint filed under Section 138 of the Negotiable Instruments Act, 1881 (even after conviction of respondent no.6), he (the petitioner) will have no objection.

Learned counsel for the petitioner submits that though the petitioner in his affidavit had stated that he had received Rs.2,00,000/-, however, he had received only Rs.1,00,000/-, with an undertaking that the remaining amount would be received after some marriage ceremony was over. However, allegedly the undertaking was not honoured by respondent no.6 and by respondents no.4 and 5, on whose intervention the petitioner had actually signed the aforesaid affidavit (as contended).

Without making any comment on the correctness or otherwise of the contention made before this Court, in the face of the affidavit admittedly signed by the petitioner, this petition is simply disposed of with a direction to the the Deputy Commissioner of Police, Amritsar, to go into the grievance of the petitioner and if it is found genuine, to take action as is warranted as per law.

However, this Court is making it absolutely clear even by reiterating what has been stated above, that in the face of the affidavit filed by the petitioner, this Court has not made any observation as to whether there is any truth in the allegation of the petitioner or not. Any recording which the petitioner contends he has, with regard to money allegedly not being paid etc., will be gone into by the Deputy Commissioner of Police.

14.2.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No