

**CRM-33546-2019 in/and
CRM-M-29025-2017 (O&M)**

119-A

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

**CRM-33546-2019 in/and
CRM-M-29025-2017 (O&M)
Date of Decision: 09.12.2019**

**M/s Realtech Developments & Infrastructure (India) Pvt. Ltd. and
others**

... Petitioners

Vs.

Rajbala Goyal

..Applicant/Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Japjit S. Johal, Advocate for
Mr. Mukesh Rao, Advocate for petitioners.

Mr. Amardeep Hooda, Advocate
for applicant-respondent.

...

Manoj Bajaj, J. (Oral)

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This application has been filed by complainant/applicant under Section 482 Cr.P.C. to permit him to withdraw the impugned complaint (Annexure P-1) under Section 138 Negotiable Instruments Act, 1881 pending against the accused persons (petitioners) as the matter has been amicably settled between the parties.

Learned counsel for applicant/respondent submits that the complainant has entered into a compromise with accused persons and does not wish to pursue the impugned complaint before the trial Court. He submits that as a result of the order dated 13.09.2017 passed by this Court, stay of proceedings before the trial Court is operating, therefore, the trial

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Court is not permitting him to withdraw the impugned complaint.

Notice of the application.

Mr. Japjit S. Johal, Advocate for Mr. Mukesh Rao, Advocate, appears and accepts notice on behalf of the petitioners. He does not dispute this fact and states that indeed the compromise has been arrived at between the parties.

Learned counsel for the parties have made a prayer for preponing the date of the main case, which is fixed for 28.01.2020.

Considering the compromise between the parties, the date of hearing is preponed today and the main case is taken up.

The miscellaneous application is disposed off.

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As the parties have entered into a compromise and the applicant-respondent is not willing to pursue his complaint before the trial Court, therefore, this Court is of the opinion that nothing serves for adjudication in this petition.

Resultantly, this petition for quashing of the said complaint (Annexure P-1) is rendered infructuous and is disposed off as such.

However, it is made clear that the applicant-respondent shall withdraw his complaint, which is pending before the trial Court.

09.12.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No