

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

DATE OF DECISION:-11.04.2019

1. CRM-M-53240-2018

BALWINDER SINGH

...PETITIONER...

V.

STATE OF PUNJAB AND ANR.

...RESPONDENTS...

2. CRM-M-53241-2018

BALWINDER SINGH

...PETITIONER...

V.

STATE OF PUNJAB AND ANR.

...RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Parvinder Singh, Advocate,
for the petitioner.

Mr. A.S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

By this common judgment, two petitions titled above are being disposed of, as the facts as well as law point involved in both these petitions is identical.

CRM-M-53240-2018 has been filed for quashing order dated 11.12.2017, whereby petitioner has been declared proclaimed offender in complaint under Section 138 of Negotiable Instruments Act and another petition bearing CRM-M-53241-2018 has been filed for

quashing FIR No.77 dated 20.04.2018, registered under Section 174-A Cr.P.C., Police Station Roopnagar.

Undisputably, respondent No.2 has been adequately compensated by making payment of cheque amount along with interest and litigation expenses, who, in turn gave statement on 16.01.2019 before the trial court, pursuant to order dated 20.12.2018, that he has no objection, if, the impugned complaint filed by him against the petitioner and FIR is quashed.

In compliance of order dated 05.04.2019, the petitioner has also deposited 15% of the cheque amount in terms of law laid down by the Hon'ble Supreme Court in "*Damodar S. Prabhu vs. Sayed Babalal H., 2010 (2) RCR (Criminal) 851*". Original receipts have been produced in Court today. The same are taken on record. Be tagged at appropriate place.

In view of the above, the impugned complaint and FIR are quashed qua the petitioner.

Therefore, nothing survives in both the petitions.

Disposed of accordingly.

11.04.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No