

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34921-2019(O&M)

Date of Order:09.12.2019

Ajit Singh and another

..Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vivek Salathia, Advocate
for the petitioners.

Mr. Amit Wadhwa, Advocate, for
Mr. Vaibhav Narang, Advocate
for respondent no.2.

ANIL KSHETARPAL, J(Oral)

On 27.08.2019, following order was passed:-

“Learned counsel for the petitioners contends that one complaint under Section 138 of the Negotiable Instruments Act and another FIR was registered against the petitioners with regard to some transaction. He points out that in the proceedings under Section 138 of the Negotiable Instruments Act, petitioners were convicted. However, in appeal, respondent No.2 settled all the dispute with the petitioners and received `9,30,000/- as full and final settlement of his claim. He had also undertaken to get the FIR in question quashed by making a statement. Learned counsel submits that after receipt of the entire amount and suffering the statement in the Court and after getting the appeal filed by the petitioners disposed of in terms of settlement, respondent No.2 is now trying to wriggle out of the settlement and is refusing to get the FIR quashed.

Notice of motion for 22.09.2019.

On asking of the Court, Mr. Bhupender Beniwal, AAG, Punjab, who is present in the Court, accepts notice on behalf of the State.

It shall be the responsibility of the petitioners to serve respondent No.2 by taking dasti notices.

In the meantime, further proceedings before the

trial Court are stayed.

Mr. Manoj Kumar-respondent no.2 is present in the court along with his counsel. He admits the settlement arrived at and the statement given before the Court of Additional Sessions Judge, Amritsar, on 23.01.2019. He submits that he has no objection to the quashing of the FIR.

In view thereof, the present petition is allowed. The FIR No.203, dated 25.09.2013, registered under Sections 420/120-B IPC at Police Station Cantonment, Amritsar and the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioners only.

December 09, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No