

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

CRM-M-51349 of 2019

DATE OF DECISION :- February 05, 2020

Taj Jewellers and another

...Petitioners

Versus

Gurpreet Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Tarun Singla, Advocate
for Mr. Kashish Garg, Advocate for the petitioners.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

Mr. Ajeet Pal Singh Pakka, Advocate has appeared on behalf of the complainant by filing vakalatnama, which be taken on record.

In a complaint under Section 138 of the Negotiable Instruments Act filed by complainant Gurpreet Singh against accused Taj Jewellers through its proprietor Paramjit Singh etc., the accused had been summoned who put in appearance. The matter had been compromised between the parties on 31.10.2018. In terms of the compromise the accused had agreed to pay the amount of Rs.25 lacs in installments. The last installment is agreed to be paid on 22.12.2020. The trial Magistrate was requested by the parties to adjourn the case sine die, however, that request was declined vide impugned order dated 30.10.2019 for the reason that the complaint case has come into the list of action plan cases.

Feeling aggrieved, the accused have approached this Court

seeking quashing of that order. On notice, the complainant-respondent has put in appearance. Both the counsel have stated that the trial Court be directed to adjourn the case beyond 22.12.2020.

I do not see any reason to decline the request. It is always endeavour of the Court to bring about amicable settlement between the parties. It is appreciable that parties have arrived at the compromise. Simply for the reason that the case in question is covered by the action plan, the request for adjournment should not be declined.

Therefore, the impugned order is set aside by way of acceptance of the present petition and the trial Magistrate is directed to adjourn the case beyond 22.12.2020 so that the compromise can be implemented and complaint can be disposed of in terms of the said compromise.

The parties are directed to appear before the trial Court on 28.2.2020, the date of hearing said to be fixed there.

(H.S. MADAAN)
JUDGE

February 05, 2020
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No