

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-4046-2022(O&M)

Date of Decision:-15.09.2022

Bhagwati Rice Mills & Anr.

.....Petitioners.

Vs.

M/s Dalip Chand Om Parkash.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Vivek Goyal, Advocate for the Petitioners.

Mr. Shailender Singh Gill, Advocate for the respondent.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of Complaint NACT No.1069-2017 titled as Dalip Chand Vs. Bhagwati Rice Mills dated 27.09.2017 (Annexure P-1) pending in the court of JMIC, Kaithal and summoning order dated 08.05.2018 (Annexure P-2) and order dated 11.11.2021 (Annexure P-3) since the same are liable to be set aside being illegal and unlawful since the petitioner is ready and willing to compound the offence and is ready to pay the cheque amount as per settled law in **Meters & Instruments Private Ltd. Vs. Kanchan Mehta 2017(4) RCR Criminal 476.**

The brief facts of the case are that the petitioners (accused) in order to discharge existing liability of Rs.4,43,402/- issued a cheque no.914559 dated 24.08.2017 for an amount of Rs.4,43,402/- in the name of respondent-complainant, which came to be dishonoured with remarks "Insufficient Funds" leading to the summoning of the petitioners.

Pursuant thereto the present petition for quashing of the aforesaid complaint and summoning order was filed stating therein that the petitioners (accused) were ready and willing to settle the matter in terms of

the judgment in *Meters & Instruments Private Ltd. Case (supra)*.

Notice was issued and pursuant thereto the case was referred to the Mediation and Conciliation Centre of this Court whereby on 19.04.2022 a settlement has been arrived at between the parties and said report of Mediation and Conciliation Centre of this Court is taken on record as Mark-A.

In view of the fact that the settlement has been arrived at between the parties, no useful purpose would be served by keeping alive the present proceedings since the offence under the Negotiable Instruments Act are otherwise compoundable as per Section 147 of the Negotiable Instruments Act and an application in that regard bearing CRM-34836-2022 has been moved.

Therefore, the present petition is allowed and Complaint NACT No.1069-2017 titled as Dalip Chand Vs. Bhagwati Rice Mills dated 27.09.2017 (Annexure P-1) pending in the court of JMIC, Kaithal and summoning order dated 08.05.2018 (Annexure P-2) are hereby ordered to be compounded and therefore all proceedings qua the petitioners stands quashed.

(JASJIT SINGH BEDI)
JUDGE

September 15, 2022
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>