

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

114

CRM-M-14078-2022

Date of Decision:02.04.2022

M/s Jay Bee Industries and others

.....Petitioners

Vs.

M/s Bhushan Constructions and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sourabh Goel, Advocate
for the petitioners.

ANOOP CHITKARA J. (ORAL)

The limited prayer for which the petitioner has come before this Court is that the application for compounding of the offence in the light of para 18.2 of the judgment passed by the Supreme Court of India in ***Meters and Instruments Pvt. Ltd. vs. Kanchan Mehta 2017 (4) RCR (Criminal) 476***, was wrongly dismissed.

The order this Court proposes to pass is that no notice is required to be issued to the complainant.

Para 5 of the impugned order does not discuss at all in the light of ratio laid down by the Supreme Court of India in Instruments Pvt. Ltd. Case (supra).

Given above, the impugned order dated 06.10.2021 is set aside and the matter is remanded back to the concerned Court to pass a fresh speaking order in the light of the above said judgment.

Parties to appear before the concerned Court on 05.04.2022.

There would be no need for a certified copy of this order, and any

Advocate for the Petitioner can download this order and other particulars as

may be required from the official web page of this Court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

02.04.2022

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