

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

SR. No.248

CRM-M-12508-2020

Date of Decision:29.03.2022

Raj Kumar

...Petitioner

Versus

Abdul Majid

...Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Manuj Nagrath, Advocate,
for the petitioner.

SANT PARKASH, J.

Prayer in the present petition is for quashing of complaint under Section 138 of the Negotiable Instruments Act, 1881 titled as 'Abdul Majid Vs. Raj Kumar'; order dated 01.07.2017 passed by the learned Judicial Magistrate 1st Class, Malerkotla, whereby the petitioner has been summoned to face trial and order dated 01.07.2019 passed by learned Judicial Magistrate 1st Class, Malerkotla vide which petitioner has been declared to be a proclaimed person.

LCR has been received.

Mr. Imran Farooqi, Advocate, has put in appearance on behalf of the respondent and filed power of attorney, which is taken on record.

Learned counsel for the petitioner submits that in compliance of the order dated 19.05.2020, a demand draft of the cheque amount along with interest @ 6% per annum has been deposited by the petitioner in the court below but till date the complainant/respondent or his counsel did not come forward to collect the same, as is clear from the order dated 27.11.2020. He has further undertaken to place a fresh demand draft of the

cheque amount along with interest @ 6% per annum till date before the court below so that it can be delivered to the respondent-complainant.

Learned counsel for the respondent has undertaken to appear before the learned trial court for collecting the said demand draft and also has undertaken to withdraw the complaint.

In view of the above-said stand taken by learned counsel for the parties, the present petition is disposed of.

29.03.2022
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO