

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

CRM-M-6553-2011(O&M)

Date of Decision:-31.10.2022

M.P. Singh.

.....Petitioner.

Versus

Ashok Kumar Bakshi.

.....Respondent.

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

Present:- Mr. Rakesh Bhatia, Advocate for the Petitioner.

Mr. Akhil Kashyap, Advocate for the Respondent.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under Section 482 Cr.PC is for quashing of Complaint No.379 dated 01.10.2008 (Annexure P-1), Summoning Order dated 01.10.2008 (Annexure P-2) passed by JMIC, SAS Nagar Mohali and all subsequent proceedings arising therefrom in the light of the judgment in ***Damodhar S. Prabhu Vs. Sayeed Baba Lal 2010(2) RCR (Criminal) 751.***

The present petition for quashing has been filed by the Petitioner and on 04.03.2011 the following order was passed:-

“ *Learned Counsel for the petitioner states that the dispute in relation to dishonour of cheque relates to the amount of Rs.10,000/- in the year 2008. He is ready to make the payment of Rs.13,000/- to the petitioner for final settlement of the dispute.*

Notice of motion for 08.07.2011.”

Notice be issued to the respondent subject to depositing of Rs.10,000/- by the petitioner before the Registrar.

Learned trial Court will adjourn the case beyond the date fixed by this Court.”

The matter stood adjourned from time to time and ultimately on 14.7.2022 the following order was passed:-

“ The Counsel for the parties are ad-idem that they want to explore the possibility of amicable settlement.

List on 31.10.2022.

The parties are directed to appear before Mediation and Conciliation Centre of this Court on 29.07.2022.”

Based on the aforementioned order the matter was referred to the Mediation and Conciliation Centre of this Court where a compromise has been arrived at between the parties as per the report of the Mediator dated 12.09.2022. The said fact of compromise having been arrived at between the parties has been admitted by the counsel for the respondent/complainant who has stated that he has no objection if the complaint and the summoning order are quashed.

I have heard learned Counsel for both the parties.

In view of the fact that a compromise has been effected between the parties, no useful purpose would be served by the continuation of the proceedings pursuant to the filing of the complaint and the summoning order.

Therefore, the present petition is allowed and Complaint No.379 dated 01.10.2008 (Annexure P-1), Summoning Order dated 01.10.2008 (Annexure P-2) passed by JMIC, SAS Nagar Mohali and all subsequent proceedings arising therefrom are hereby quashed.

A sum of Rs.10,000/- deposited with the Registry of this Court vide order dated 4.3.2011 shall be refunded to the petitioner against proper

receipt and identification immediately.

(JASJIT SINGH BEDI)
JUDGE

October 31, 2022
Vinay

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