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

**CRM-M-54784-2022 (O&M)
Date of Decision: 21.12.2022**

SHER MOHAMMAD

....Petitioner

Versus

LAXMAN MAAN AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Devender Kumar, Advocate
for the petitioner.

Mr. Ram Kumar Singla, DAG, Haryana.

HARSH BUNGER, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of impugned order dated 31.10.2022 (Annexure P-13) passed by the learned Judicial Magistrate First Class, Faridabad, vide which the petitioner has been declared proclaimed person in Complaint No.6817/2018, titled as "Laxman Mann Vs. Sher Mohd."

Vide order dated 01.12.2022, notice of motion was issued in this case by taking note of the submission made by learned counsel for the petitioner that the petitioner is ready and willing to amicably settle the dispute with respondent No.1 namely, Laxman Mann.

Mr. Balwinder Sangwan, Advocate puts in appearance and files

his Power of Attorney on behalf of respondent No.1 in the Court today, which is taken on record subject to all just exceptions.

During the course of hearing, learned counsel for the parties after taking instructions from their respective parties have arrived at a consensus to settle the dispute amicably. As per consensus, the petitioner is ready to pay the entire amount of Rs.2 lakh to the complainant regarding which the complaint under Section 138 of the Negotiable instruments Act has been instituted before the learned Judicial Magistrate First Class, Faridabad, and the matter is now pending for 22.12.2022.

On the other hand, learned counsel representing respondent No.1 has submitted that he has instructions to accept the offer made by learned counsel for the petitioner on behalf of petitioner and he is ready to accept the amount of Rs.2 lakh as full and final settlement of all claims in respect of the cheque in dispute regarding which complaint under Section 138 of the Negotiable Instruments Act is pending. He further submits that upon payment of the said amount, no dispute shall remain pending between the parties and he shall not initiate any action in respect of cheque in dispute.

In view of the amicable settlement arrived at between the parties, the present petition is disposed of with a direction that the petitioner shall appear before the trial Court on 22.12.2022 along with the demand draft of Rs.1.5 lakh in the name of respondent No.1 which shall be paid to the respondent (Laxman Mann). Upon payment of the said amount, the petitioner shall be released on bail to the satisfaction of the trial court and the trial court shall offer one opportunity to the petitioner to make the balance payment of Rs.50,000/- on any date as it may deem fit.

It is noted that if the petitioner makes the payment of the entire agreed amount of Rs.2 lakh on 22.12.2022 itself, then necessary orders be

passed by trial Court on the basis of amicable settlement between the parties.

In case, the petitioner does not appear before the trial Court on the date fixed or make the payment as indicated above then this petition shall be deemed to have been dismissed.

The present petition is disposed of in aforementioned terms.

21.12.2022
Amandeep

(HARSH BUNGER)
JUDGE

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