

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

**CRM-M-59753-2022 (O&M)
Date of decision: 21.12.2022**

M/s Satish Kumar Shagal Lal

...Petitioner

Versus

Narinder Pal Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Kiranjeet Kaur, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition is for quashing of order dated 13.10.2022 passed by the learned Additional Sessions Judge, Fazilka, in CRA No. 4211 of 2022 dated 01.10.2022 titled as 'M/s. Satish Kumar Shagan Lal Vs. Narinder Pal Singh', in an appeal preferred against judgment of conviction dated 23.09.2022 passed by the learned Judicial Magistrate 1st Class, Fazilka, in a criminal complaint bearing No. NACT/744/2018 dated 04.08.2018 under Section 138 of the Negotiable Instruments Act, 1881, titled as 'Narinder Pal Singh Vs. M/s Satish Kumar Shagan Lal' to the extent of expunging the direction regarding depositing the compensation and further to deposit 20% of the compensation amount as assessed by the learned trial Court.

Learned counsel for the petitioner submits that in the complaint filed by the respondent under Section 138 of the Negotiable Instruments Act, 1881, vide judgment of conviction and order of sentence dated 23.09.2022 passed by the learned Judicial Magistrate 1st Class, Fazilka, the petitioner was sentenced to undergo rigorous imprisonment for a period of 02 years and to pay compensation to the complainant to the tune of cheque amount i.e. Rs.

10,70,000/- along with interest @ 9% per annum from the date of issuance of cheque in question. In the appeal preferred by the petitioner against the aforesaid judgment and order dated 23.09.2022, the learned Additional Sessions Judge, Fazilka, vide order dated 13.10.2022 directed to release the petitioner on bail by suspending his sentence subject to his depositing 20% of the compensation amount within 60 days from today before the learned trial Court. The petitioner is still ready to settle the matter with the respondent-company and prays to relegate the parties to the Mediation and Conciliation Centre of this Court.

I have heard the learned counsel for the petitioner and have also gone through the documents on record.

Mediation is one of the effective and now well known alternative dispute resolution methods, which helps the litigants to resolve their disputes voluntarily and amicably with the assistance of a third party known as 'Mediator'. The mediator by his skills assists the parties to settle their disputes amicably.

In view of the above, the petition is disposed of with a direction to the petitioner to move an appropriate application before the learned trial Court to send the matter to the Mediation and Conciliation Centre to settle the dispute amicably.

(HARNARESH SINGH GILL)
JUDGE

21.12.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No