

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

CRM-M-3013-2023

Date of decision : 04.10.2023

SATBIR SINGH

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Arpinder S. Sidhu, Advocate for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana.

Mr. Munish Kumar Garg, Advocate for
Mr. Tajveer Singh, Advocate for respondent No.2.

PANKAJ JAIN, J. (ORAL)

On 19th of January, 2023 following order was passed :

“The present petition under Section 482 Cr.P.C. is filed seeking quashing of impugned order dated 18.11.2022 (Annexure P-4), passed by the Sub Divisional Judicial Magistrate, Tohana, whereby the petitioner was declared as a proclaimed offender in Complaint Case No.26 dated 15.02.2018, titled as “*Anil Kumar Vs. Satbir Singh*”, filed under Sections 138 and 142 of the Negotiable Instruments Act.

Learned counsel for the petitioner submits that the petitioner is ready and willing to amicably settle the dispute with respondent No.2/complainant and in order to show his bona fide, he shall bring a demand draft amounting to Rs.2,00,000/- (Rupees Two Lacs Only) in favour of respondent No.2/complainant on the next date of hearing.

Learned counsel for the petitioner further submits that the petitioner shall also pay 15% of the total cheque amount in question in terms of the decision of Hon'ble Supreme Court in the case reported as “*Damodar S. Prabhu Vs. Sayed Babalal H.*”, 2010 (5) SCC 663.

Notice of motion.

At the asking of the Court, Mr. Amrik Narwal, DAG, Haryana, who is present in the Court, accepts notice on behalf of respondent No.1/State.

List on 08.02.2023.

Petitioner may bring a demand draft of Rs.2,00,000/- (Rupees Two Lacs Only) drawn in favour of respondent No.2/complainant.

Learned counsel for the petitioner is directed to supply complete copy of paper book to learned State counsel during the course of the day.”

2. Today counsel for respondent No.2 submits that he has received whole of the cheque amount and counsel for the petitioner has produced receipt of Rs.45,000/- issued by the Haryana State Legal Service Authority dated 4th of October, 2023 to show that the aforesaid order stands complied with.

3. Counsel for the respondent/complainant submits that the complainant has agreed to compound the offence of the petitioner.

4. In view of above, proceedings initiated against the petitioner are ordered to be compounded. Resultantly, the impugned order dated 18th of November, 2022 (Annexure P-4) and all proceedings subsequent thereto are hereby quashed.

5. Accordingly, the petition stands allowed.

October 04, 2023

Dpr

(Pankaj Jain)
Judge

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