

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

Sr. No.203

CRM-M-7760-2020

Date of Decision : February 09, 2023

M/s Nirman Engineers & Company

...Petitioner

Versus

M/s Anand Sanitary & Marble Home & Another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Suresh Kumar Kaushik, Advocate, for the petitioner.
Mr. Deepak Jindal, Advocate for respondent No.1.
Mr. Deepak Grewal, DAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

This petition has been filed for quashing order dated 22.10.2019 (Annexure P-4) whereby the petitioner has been declared a proclaimed person in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881.

A perusal of order dated 05.08.2020 shows that the cheque amount along with interest @ 6% per annum has been deposited by the petitioner before the trial Court in terms of order dated 16.06.2020. Thus, the offence stands compounded. That being so, the order declaring the petitioner as a proclaimed person deserves to be quashed.

The petition is accordingly allowed. Impugned order dated 22.10.2019 (Annexure P-4) is quashed. The trial Court is directed to release the cheque amount along with interest @ 6% deposited before it by the petitioner to the complainant within seven days from the date of receipt of a certified copy of this order.

February 09, 2023

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No