

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

281

CRM-M-13100-2022

Date of decision : 10.01.2023

Baljeet Singh

Petitioner

V/S

State of Haryana and another

Respondents

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Parminder Singh, Advocate for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Ms. Kamlesh, Advocate for

Mr. Sukhdeep Singh, Advocate for respondent No. 2.

ASHOK KUMAR VERMA, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing of order dated 10.11.2021 (Annexure P-3) passed in Complaint No. 289 dated 16.07.2019 filed under Section 138 of the Negotiable Instruments Act, 1881 (for short-'the Act'), whereby the proceedings under Section 82 Cr.P.C. had been initiated against the petitioner and he was declared as proclaimed person.

Pursuant to the order dated 29.03.2022 passed by a co-ordinate Bench of this Court, the parties appeared before the learned Sub Divisional Judicial Magistrate, Safidon, to get their statements recorded. Learned Sub Divisional Judicial Magistrate, Safidon, submitted his report along with statements of the parties vide letter No. 147 dated 29.04.2022 duly forwarded by learned District and Sessions Judge, Jind, vide letter No. 6026 dated 30.04.2022.

According to the report, Sub Divisional Judicial Magistrate,

Safidon, is satisfied that the compromise effected between the parties is without any coercion, undue influence or pressure and the complainant had no objection, in case, the instant petition filed by the petitioner is allowed as the main complaint titled as 'Mahesh Tayal Vs. Baljeet Singh, had already been dismissed as withdrawn vide order dated 12.03.2022 (Annexure P-5).

Learned counsel for the petitioner *inter alia* contends that the main complaint under Section 138 of the Act, had already been settled between the parties and the same stands withdrawn vide order dated 12.03.2022 (Annexure P-5). He further submits that no further purpose would be served by continuation of the proceeding declaring the petitioner as proclaimed person.

Learned counsel for respondent No. 2-complainant also submits that she has no objection if, the instant petition is allowed.

In view of submissions made by learned counsel for the parties and also keeping in view the report received from the trial Court, the present petition is allowed and the impugned order dated 10.11.2021 (Annexure P-3) and all subsequent proceedings arising therefrom are ordered to be quashed.

10.01.2023

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**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No