

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-350-2022
Date of decision: 29.04.2024

SURENDER SINGH
....Petitioner

Versus

JAI BHAGWAN
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rakesh Bhatia, Advocate
for petitioner.

Mr. Surinder Singh Duhan, Advocate
for the respondent.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred under Section 482 Cr.P.C. seeking quashing of complaint No. NACT-572/2017 dated 01.09.2017 (Annexure P-4) and summoning order dated 01.09.2017 (Annexure P-5) in a complaint under Section 138 of the N.I. Act titled as '*Jai Bhagwan vs. Surender Singh*', pending in the Court of learned Judicial Magistrate Ist Class, Jind, along with the subsequent proceedings arising therefrom.

2. Learned counsel for the parties are *ad idem* that in view of the settlement effected between the parties, the petitioner had to pay Rs.26,000/- in total to the respondent-complainant towards full and final settlement of the claim.

3. Today, learned counsel for the petitioner, has handed over Demand Draft No.279319 dated 20.04.2024 drawn on Union Bank of

India, Industrial Area Phase-I Branch, Chandigarh in favour of Jai Bhagwan – respondent/complainant amounting to Rs.20,000/-, copy thereof has been placed on record, besides, learned counsel for the petitioner has also handed over an amount of Rs.6,000/- in cash (total amounting to Rs. 26,000/-) towards full and final settlement of the claim.

4. Learned counsel for the respondent-complainant has accepted the afroesaid demand draft (*supra*) and also Rs.6,000/- in cash from learned counsel for the petitioner and has submitted that since compromise has been effected between the parties, as such, he has no objection in case the present petition is allowed thereby quashing the complaint bearing CIS No.NACT/572/2017 (Annexure P-4) and also the summoning order dated 01.09.2017 (Annexure P-5) in complaint case registered under Section 138 of N.I. Act titled as '*Jai Bhagwan vs. Surender Singh*' pending in the Court of learned Judicial Magistrate First Class, Jind, and all the subsequent proceedings arising therefrom.

5. Heard.

6. Considering the fact that the parties have effected compromise and in compliance thereof, the petitioner has paid Rs.26,000/- to learned counsel for the respondent (Rs.20,000/- by way of demand draft and Rs.6,000/- cash) towards full and final settlement and on receipt thereof the learned counsel for the respondent has no objection in case the present petition is allowed.

7. Therefore, considering the respective submissions and the fact that the matter has been settled between the parties and the amount of

no objection pleaded by learned counsel for the complainant the present petition is allowed and the complaint bearing CIS No.NACT/572/2017 (Annexure P-4) and also the summoning order dated 01.09.2017 (Annexure P-5) in complaint case registered under Section 138 of N.I. Act titled as '*Jai Bhagwan vs. Surender Singh*' pending in the Court of learned Judicial Magistrate First Class, Jind, and all the subsequent proceedings arising therefrom are hereby quashed.

29.04.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |