



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-4175-2020 (O&M)
Date of decision : 27.05.2024

Rupesh Lodha

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Petitioner in person, with
Mr. Arjun Sheoran, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Krishan M. Vohra, Advocate
for respondent No.2.

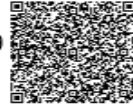
PANKAJ JAIN, J. (Oral)

1. On 10.10.2022, following order was passe:-

“On 12.09.2022, the following order was passed:-

“Mr. Gupta while referring to the order dated 18.02.2020 points out that in fact the said order has not been complied with in letter and spirit. He submits that the amount of Rs.2 lakhs which was required to be deposited with the trial Court has not been deposited. On this, counsel for the petitioner joins issue and has produced photocopy of the demand draft dated 27.05.2022 amounting to Rs.5,61,750/- bearing No.455629 drawn on Punjab National Bank and submits that the same has been handed over to the complainant.

Mr. Gupta prays for time to verify the said issue.



List on 10.10.2022.”

Today, counsel for respondent No.2 has produced copy of order dated 27.09.2022 passed by JMIC, Panchkula, wherein it has been stated as under:-

“In pursuance of the submissions of the complainant, accused suffered a statement to the effect that he is a layman, not familiar with the court/legal proceedings. Accused has further submitted that he was declared proclaimed person on 11.10.2018 by the court of Ms. Harleen A. Sharma, ACJM, Panchkula and after which he approached the Hon'ble High Court by way of CRM No. 33874 of 2019 for quashing of PO proceedings. This petition was withdrawn by him on 21.08.2019. Thereafter, another quashing petition was filed by the counsel bearing no. CRM-M-4175 on 2020 which was not in his knowledge and he was unaware of the second quashing petition before the Hon'ble High Court. Being unaware of the proceedings before the Hon'ble High Court he surrendered before this court. To show his bonafide to settle the matter, accused also prepared a demand draft worth amount of Rs. 5,61,750/- i.e., cheque amount on 27.05.2022 which was again revalidated on 20.09.2022. He further requested for an adjournment for moving an application for compounding of offence alongwith demand draft to be placed on record. Not opposed by complainant. Heard. In the interest of justice, case stands adjourned to **11.10.2022** for moving application for compounding of offence.”



Certified copy of the order dated 27.09.2022 is taken on record as mark 'X'.

Counsel for the petitioner prays for withdrawal of the present petition.

Prayer is declined.

List on 11.10.2022.

Petitioner to remain present in person on the next date of hearing.”

2. On 11.10.2022, petitioner produced demand draft amounting to Rs.5,61,750/- which was ordered to be deposited with the Registry. The complainant in order to compound the offence submits that dehors the conduct that the petitioner has shown, the complainant is ready to compound the offence subject to the petitioner paying further amount of Rs.2 lakhs. Petitioner who is present in person is not ready for the same.
3. In view thereof, keeping in view the conduct that the petitioner has shown during the pendency of the present petition, the present petition is dismissed with cost of Rs.50,000/.
4. Registry is directed to return the amount after deducing Rs.50,000/- from the demand draft.
5. Ordered accordingly.
6. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

27.05.2024

Dinesh

Whether speaking/reasoned :

Yes

Whether Reportable :

No