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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15536 of 2024(O&M)
Date of Decision: 16.12.2024

Sarita Rani

... Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: **HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Baljeet Singh Sidhu, Advocate
 for the petitioner.

 Mr. Aashish Bishnoi, DAG, Haryana.

 Mr. I.S. Kooner, Advocate
 for respondent No.2.

ANOOP CHITKARA, J.

Complaint	COMA No.1367 of 2020 titled as “Kiranjit Kaur Vs. Sarita Rani etc.” under Section 138 of the Negotiable Instruments Act.
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The petitioner, aggrieved by the retraction of the complainant from the compromise to which she had earlier put her signatures on the compromise deed (Annexure P-15) dated 30.07.2022, the accused has come up before this Court.

2. State counsel submits that State of Haryana is unnecessary party and prayed for deletion of same from the array of parties. As such, State is deleted from memo of parties. Registry to make necessary corrections in this regard.

3. Counsel for the petitioner-accused submits that he is willing to pay the amount as was entered into the compromise, even today.

4. He further submits that the petitioner is suffering from breast cancer, as such, the petitioner may be exempted from personal appearance before the trial Court except on the date when it is essential in the opinion of the said Court.

5. However, counsel for the complainant submits that they are not interested for the settlement and they cannot be forced to enter into compromise.

6. Given above, the present petition is disposed of with direction to the trial Court concerned to refer the matter for mediation to enable the petitioner to appear before the trial Court as well as for mediation, there shall be stay on her arrest till 28.02.2025 in this

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case and this order shall eclipse on decision of the case or on 28.02.2025 whichever is earlier. It is further clarified that in case the compromise does not take place then at the time of conviction, if any, this factor shall be kept in mind by the trial Court. It is further clarified that in case the matter is referred to Mediation Center, the petitioner is directed to remain present either herself or through her attorney authorized to make statement on her behalf. Liberty reserved to the petitioner to come to this Court, if need so arises. Pending applications, if any, also stand disposed of.

(ANOOP CHITKARA)
JUDGE

16.12.2024

Sonia Puri
Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No.