

2024:PHHC:033380

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

CRR-1058-2017 (O&M)

Date of Decision: 07.03.2024

SHAMSHER SINGH

...Petitioner

V/S

RAJ SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Manvi Singh, Advocate for
Mr. Ajay Ghanghas, Advocate for the petitioner.

Mr. R.K. Hooda, Advocate for the respondent.

HARPREET SINGH BRAR J. (ORAL)

Prayer in the present petition is for quashing of the order dated 05.06.2013/07.06.2013 passed by learned Judicial Magistrate Ist Class, Sonapat vide which the petitioner has been convicted and sentenced to undergo imprisonment for one year with default mechanism and also awarded compensation of Rs. 8.00 lacs to be paid to the complainant and further seeking quashing of judgment dated 06.03.2017 passed by learned Additional Sessions Judge, Sonapat, vide which the appeal filed by the petitioner has been dismissed.

Learned counsel for the petitioner on 06.04.2017 has submitted before this Court that petitioner is ready to deposit 50% of the cheque amount and also ready to settle the dispute and in view of the directions issued by this Court, petitioner has deposited a demand draft of Rs. 3,50,000/- before the concerned trial Court and his sentence was suspended on 26.07.2017 after deposition of the aforesaid amount.

Learned counsel for the petitioner submits that during the pendency of the present petition, the petitioner has passed away and as such the proceedings qua the petitioner stands abated.

Mr. R.K. Hooda, Advocate for Mr. Kamal Mor, Advocate has put in appearance on behalf of the respondent and files his power of attorney. Same is taken on record. Learned counsel for the respondent prays for release of the amount deposited before the learned trial Court in favour of the respondent.

In view of the above, the present petition stands abated qua the petitioner and learned trial Court is directed to release the demand draft of Rs. 3,50,000/- in favour of the respondent.

07.03.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

AJAY GOSWAMI
2024.03.07 17:47
I attest to the accuracy and
integrity of this document