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

CRM-M-32315-2024

Date of Decision:- 10.07.2024

THAKUR VARINDER SINGH AND ANR

....Petitioners

Vs.

AXIS BANK LTD.

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amandeep Singh Rai, Advocate for the petitioners.

Mr. D.K. Singal, Advocate for respondent – Bank.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 Cr.P.C. for quashing of order dated 26.04.2024 (Annexure P-2) vide which the petitioners have been declared proclaimed persons in case No.COMA/15550-2021 dated 25.11.2021 titled as “Axis Bank Limited Vs. Thakur Varinder Singh” under Section 138 of Negotiable Instruments Act before Judicial Magistrate 1st Class, Ludhiana.

2. Learned counsel for petitioners pointed out that matter has been settled with the respondent – Bank and said complaint has been withdrawn vide order dated 15.05.2024 which is Annexure P-3. Now there is no dispute between the parties. The petitioners were wrongly declared proclaimed persons vide order dated 26.04.2024 (Annexure P-2) which is reflected in police record. Thus, it is submitted that impugned order dated 26.04.2024 may kindly be quashed.



3. Mr. D.K. Singal, Advocate has appeared on behalf of respondent – Bank and confirmed that matter was settled with the petitioners and as a result the complaint was accordingly dismissed as withdrawn on 15.05.2024. Learned counsel for the respondent further stated that he has no objection if the impugned order dated 26.04.2024 (Annexure P-2) vide which petitioners were declared proclaimed persons is quashed.

4. I have considered the arguments. Facts of the case indicate that Axis Bank Limited filed complaint under Section 138 of Negotiable Instruments Act in which petitioners were declared proclaimed persons vide order dated 26.04.2024 (Annexure P-2). Later on the matter was settled with the respondent which resulted into withdrawal of the complaint vide order dated 15.05.2024 (Annexure P-3). Since the matter has been settled, therefore, I find merits in the petition filed by the petitioner and the impugned order dated 26.04.2024 (Annexure P-2) stands quashed.

5. Petition is, accordingly, disposed of.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

10.07.2024
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Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No