



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

**CRM-M-54194-2022 (O&M)
DECIDED ON: 23.08.2024**

JITENDRA M. GADA

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Gurasis Singh, Advocate for
Mr. Saurabh Dalal, Advocate
for the petitioner.

Mr. S.S. Pannu, Additional Advocate General, Haryana.

Mr. Aditya Jain, Advocate and
Mr. Rajat Singla, Advocate
for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

Learned counsel for respondent No.2 has produced copy of the order dated 20.02.2023 passed by learned Judicial Magistrate First Class, Gurugram, stating that the matter has already been settled between the parties and the said complaint stands withdrawn as is evident from the order. The contents of the order dated 20.02.2023 are reproduced as under:-

"The instant matter is in the Action Plan list for the year 2022-23.

Today the matter was fixed for placing on record schedule of payment.

Accused namely Jitendra M Gada, on behalf of all accused persons, got his statement recorded separately to the effect, that the

matter has been compromised between the parties. By the said settlement, he has paid the cheque amount along with interest to the complainant. The interest has been paid vide DD No. 250653 and DD No. 250646 amounting to Rs.2,50,000/- and Rs.5,00, 000/- respectively. The amount of TDS shall be borne by him and the complainant has no liability of the same, as per the settlement.

At this stage, Sh. Rakesh Kumar SPA Holder of the complainant got his statement recorded separately to the effect, that he has received the Demand Draft of the cheque amount along with interest of 6% as settled between the parties. The liability of TDS will be borne by the accused as per the settlement and the amount received by him excludes the same. Therefore, he does not want to proceed further with the present complaint.

Heard. In view of aforesaid statement, present complaint is hereby dismissed as withdrawn. Accused persons are hereby acquitted under Section 257 Cr.P.C. File be consigned to record room after due compliance, complete in all respects.

COMPILAINT: DISMISSED AS ITHDRAWN.”

In the light of above, nothing survives in the instant petition and the same as having been rendered infructuous.

The instant petition disposed of accordingly.

23.08.2024
Mani Kumar

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>