

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

.....Petitioner

.....Respondent

PANKAJ JAIN, J. (Oral)

Mr. Devanshu Aggarwal, counsel appearing for the respondent admits the fact of there being compromise between the parties placed on record as Annexure P-1 and submits that the parties have compromised on the cheque amount. Out of total amount of Rs.31,25,000/-, the complainant-respondent has received an amount of Rs.3,50,000/-. Rest of the payments, the accused has undertaken to clear by 07.10.2027. The agreed payment of schedule as culled out in covenant No.9 of the compromise deed reads as under:-

S.No.	Cheque No.	Dated	Amount	Bank
1.	258031	07.11.2022	25,000/-	IDBI BANK
2.	258032	07.12.2022	25,000/-	IDBI BANK
3.	258033	07.01.2023	25,000/-	IDBI BANK
4.	258034	07.02.2023	25,000/-	IDBI BANK
5.	258035	07.03.2023	25,000/-	IDBI BANK
6.	258036	07.04.2023	25,000/-	IDBI BANK
7.	258037	07.05.2023	25,000/-	IDBI BANK
8.	258038	07.06.2023	25,000/-	IDBI BANK
9.	258039	07.07.2023	25,000/-	IDBI BANK
10.	258040	07.08.2023	25,000/-	IDBI BANK
11.	258041	07.09.2023	25,000/-	IDBI BANK
12.	258042	07.10.2023	3,05,000/-	IDBI BANK
13.	258043	07.11.2023	25,000/-	IDBI BANK
14.	258044	07.12.2023	25,000/-	IDBI BANK
15.	258045	07.01.2024	25,000/-	IDBI BANK
16.	258046	07.02.2024	25,000/-	IDBI BANK
17.	258047	07.03.2024	25,000/-	IDBI BANK
18.	258048	07.04.2024	25,000/-	IDBI BANK
19.	258049	07.05.2024	25,000/-	IDBI BANK
20.	258050	07.06.2024	25,000/-	IDBI BANK
21.	258051	07.07.2024	25,000/-	IDBI BANK
22.	258052	07.08.2024	25,000/-	IDBI BANK
23.	258053	07.09.2024	25,000/-	IDBI BANK

24.	258054	07.10.2024	3,05,000/-	IDBI BANK
25.	258055	07.11.2024	25,000/-	IDBI BANK
26.	698971	07.12.2024	25,000/-	Punjab National Bank
27.	698972	07.01.2025	25,000/-	Punjab National Bank
28.	698973	07.02.2025	25,000/-	Punjab National Bank
29.	698974	07.03.2025	25,000/-	Punjab National Bank
30.	698975	07.04.2025	25,000/-	Punjab National Bank
31.	698976	07.05.2025	25,000/-	Punjab National Bank
32.	698977	07.06.2025	25,000/-	Punjab National Bank
33.	698978	07.07.2025	25,000/-	Punjab National Bank
34.	698979	07.08.2025	25,000/-	Punjab National Bank
35.	698980	07.09.2025	25,000/-	Punjab National Bank
36.	698981	07.10.2025	3,05,000/-	Punjab National Bank
37.	698982	07.11.2025	25,000/-	Punjab National Bank
38.	698983	07.12.2025	25,000/-	Punjab National Bank
39.	698984	07.01.2026	25,000/-	Punjab National Bank
40.	698985	07.02.2026	25,000/-	Punjab National Bank
41.	698986	07.03.2026	25,000/-	Punjab National Bank
42.	698987	07.04.2026	25,000/-	Punjab National Bank
43.	698988	07.05.2026	25,000/-	Punjab National Bank
44.	698989	07.06.2026	25,000/-	Punjab National Bank
45.	698990	07.07.2026	25,000/-	Punjab National Bank
46.	698991	07.08.2026	25,000/-	Punjab National Bank
47.	698992	07.09.2026	25,000/-	Punjab National Bank
48.	698993	07.10.2026	3,05,000/-	Punjab National Bank

49.	698994	07.11.2026	25,000/-	Punjab National Bank
50.	698995	07.12.2026	25,000/-	Punjab National Bank
51.	698996	07.01.2027	25,000/-	Punjab National Bank
52.	698997	07.02.2027	25,000/-	Punjab National Bank
53.	698998	07.03.2027	25,000/-	Punjab National Bank
54.	698999	07.04.2027	25,000/-	Punjab National Bank
55.	699000	07.05.2027	25,000/-	Punjab National Bank
56.	699001	07.06.2027	25,000/-	Punjab National Bank
57.	699002	07.07.2027	25,000/-	Punjab National Bank
58.	699003	07.08.2027	25,000/-	Punjab National Bank
59.	699004	07.09.2027	25,000/-	Punjab National Bank
60.	699005	07.10.2027	3,05,000/-	Punjab National Bank
	-----	Total	29,00,000/-	-----

Counsel for the petitioner-convict submits that the petitioner undertakes to make the aforesaid payments regularly without any fault.

In view of above, sentence shall remain suspended. However, prayer for exemption from surrendering before the trial Court is declined. The petitioner shall surrender before the trial Court.

Needless to say, the petitioner shall be bound by his undertaking to comply with the compromise as undertaken by his counsel and in case of his default, the present order granting him concession of suspension of sentence shall be deemed to have been vacated without any further orders. After the petitioner surrenders before the trial Court and furnishes fresh bail bonds, he shall be released on bail.

Adjourned to 20.03.2024.

A photocopy of this order be placed on the file of other connected case.”

On the last date i.e. on 20.03.2024, counsel for the petitioner sought time. The matter was listed for today. Counsel for the respondent-complainant submits that despite the settlement, petitioner has not been able to honour the same.

In view thereof, interim order dated 07.07.2023 stands vacated. Petitioner is directed to surrender before the trial Court by 19.04.2024.

Adjourned to 02.05.2024. “

A photocopy of this order be placed on the file of other connected case.”

2. Counsel for the petitioner still remains unrepresented.
3. Counsel for the respondent submits that the petitioner has not complied with the order.
4. In view of the above, present petitions are dismissed for want of prosecution.

02-05-2024
spn

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No