

2024:PHHC:142154



(116) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49969-2024

Date of decision 29.10.2024

ROHIT KISHOR RAKA

... Petitioner(s)

Versus

SURESH KUMAR

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Anil Malik, Advocate for the petitioner.

ANOOP CHITKARA, J.

Complaint Case	NACT/ 7914 of 2024	SURESH KUMAR Vs. ROHIT KISHOR RAKA
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1. Petitioner’s counsel seeks quashing of complainant and summoning order, the accused has come up before this Court on the grounds that entire amount has been paid.
2. This is not a ground to quash the complaint, however, considering the point of compromise, this Court finds that once the entire amount has been paid, there will be two remedies available to petitioner i.e. First remedy is to approach the trial Court under the provision of Section 147 of Negotiable Instruments Act and seek its compounding and second remedy would be to request the trial Court to send the matter for mediation.
3. Given above, petitioner is at liberty to file an application before the trial Court under Section 147 of Negotiable Instruments Act and trial Court shall decide the same on its merit. The trial Court is also requested to send the matter for mediation to explore the possibility of compromise.
4. Counsel for the petitioner submits that petitioner be exempted from personal appearance before trial Court.
5. Petition is disposed of with the aforesaid observation. Pending applications, if any, stand disposed of. Liberty reserved to petitioner to file such application for exemption from personal appearance. If such application is filed, in that case, trial Court is requested to decide the same sympathetically.

(ANOOP CHITKARA)
JUDGE

October, 29 2024
raman

Whether speaking/reasoned : Yes
Whether reportable : No