

120+287

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

CRM-M No. 61355 of 2023 (O&M)

Date of Decision: 11.03.2024

Aashish Mandiwal

..... Petitioner

Versus

Vinod Kumar

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ramesh Hooda, Advocate
for the petitioner.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of the complaint No. NACT-534 of 2020, titled “*Vinod Kumar Versus M/s. Eagle Mines & Minerals and another*” (Annexure P-2) as well as the summoning order dated 26.02.2021 (Annexure P-3) besides the order dated 21.08.2023 (Annexure P-7) passed by learned Judicial Magistrate Ist Class, Jind while exercising the powers under Section 143-A of the Negotiable Instruments Act, 1881.

[2] This Court, while issuing notice of motion vide order dated 30.01.2024, stayed the non-bailable warrants issued against the petitioner and passed the following order in main case:-

“ *The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of the complaint No. NACT-534 of 2020, titled “Vinod Kumar Versus M/s. Eagle Mines & Minerals and another” (Annexure P-2) as well as the summoning order dated 26.02.2021 (Annexure P-3) besides the order dated 21.08.2023 (Annexure P-7) passed*

by learned Judicial Magistrate Ist Class, Jind while exercising the powers under Section 143-A of the Negotiable Instruments Act, 1881.

Learned counsel for the petitioner, without referring to the merits of the case, submits that the petitioner is ready to settle the dispute with the respondent-complainant and in order to show his bona fide, he would deposit a sum of Rs. 5 lakhs before the trial Court concerned within a period of two weeks from today, while another sum of Rs. 5 lakhs would be deposited within four weeks thereafter.

Issue dasti notice for 19.02.2024 to the extent of exploring the possibility of settlement between the parties.

In the meanwhile, non-bailable warrants issued against the petitioner shall remain stayed.

[3] Now, the applicant-petitioner, by way of **CRM No. 9370 of 2024**, seeks withdrawal of the present case. In the said application, it is, *inter alia*, averred that the petitioner tried to contact the respondent for settlement, but failed and he could not arrange the amount within stipulated period.

[4] In view of the contents of the aforesaid application bearing **CRM No. 9370 of 2024** duly supported by the affidavit of petitioner, the same is **allowed** and the **main case** is ordered to be **dismissed as withdrawn**.

[5] Pending miscellaneous application(s), if any, shall stand disposed off.

March 11, 2024

'dk kamra'

**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>