



123 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.60930 of 2024 (O&M)
Date of Decision: 05.12.2024

Ram Mehar ...Petitioner

Versus

Chhattar Singh ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Karan Singh, Advocate for the petitioner(s).

ANOOP CHITKARA, J.

Criminal Complaint	No. NACT-396-2020, under Section 138 of the Negotiable Instruments Act, titled as "Chattar Singh (since deceased) Vs. Ram Mehar
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Seeking quashing of order dated 04.11.2022 passed by Judicial Magistrate Ist Class, SAS Nagar, affirmed by order dated 06.05.2024 in the case captioned above, the petitioner has come up before this Court under Section 482 Cr.P.C., 1973.

2. After arguing for some time, counsel for the petitioner wants to withdraw with liberty reserved to the petitioner to come to this Court again.

3. Although the petitioner is disputing the cheque amount, however, in case the petitioner still decides to enter into a compromise, at that time, 5% of cheque amount will be liable to be paid to the concerned Legal Services Authority, in terms of "Damodar S. Prabhu Vs.Sayed Babalal H", 2010 (5) SCC 663 of Hon'ble Supreme Court. If compromise is effected in that case, it shall be permissible for the petitioner to file an application for reduction of such amount by mentioning the financial incapacity and if that application is filed then there is an inbuilt provision in Damodar S. Prabhu's judgment (*supra*) of Hon'ble Supreme court to reduce the amount and the trial Court to proceed accordingly.

3. Given above, the present petition is hereby, **disposed of**, as withdrawn with the observations made above. Pending applications, if any, also stand disposed of.

(ANOOP CHITKARA)
JUDGE

05.12.2024
Sonia Puri

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