



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

**CRM-M-49753-2019
DECIDED ON: 12.05.2025**

**M/S KETAN CONSTRUCTION CO. AND ANOTHER
.....PETITIONERS**

VERSUS

**M/S MEHTA CONSTRUCT CO.
.....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajinder Goel, Advocate and
Mr. Harjyot Singh, Advocate
for the petitioner.

Mr. Sumit Gupta, Advocate for respondent

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., seeking quashing of order dated 06.11.2019 (Annexure P-4) passed by learned Additional Sessions Judge, Karnal, vide which the petitioners have been directed to deposit 20% of the statutory amount as per Section 138 of NI Act, 1881.

A perusal of the file reveals that the parties have arrived at a compromise which has been reduced in writing vide compromise deed dated 07.09.2024 (Annexure C-1), which is already taken on record vide order dated 03.10.2024.

To ascertain the fact that as to whether the compromise has been effected between the parties, this Court vide order dated 19.11.2024 has directed

the parties to appear before the Court below for recording of their statements with regard to the genuineness of the compromise.

A report dated 19.04.2025 has been received from the Additional Sessions Judge, Karnal, wherein it has been stated that the aforesaid compromise has been done without any pressure from any corner and they would abide by the terms and conditions of the compromise and nothing remains due against each other.

Be that as it may, in view of the amicable settlement arrived at between the parties vide settlement deed dated 07.09.2024 (Annexure C-1), and considering that the cheque amount in question has already been paid to the complainant and no dues remain outstanding between the parties, this Court is of the considered opinion that it would neither be just nor appropriate to direct the petitioners to deposit 20% of the statutory amount.

In view of the discussions made hereinabove, the present petition is allowed and the impugned order dated 06.11.2019 (Annexure P-4) passed by learned Additional Sessions Judge, Karnal, is hereby quashed.

However, the parties are directed to file an appropriate application for compounding of offence before the Court below, who shall decide it expeditiously.

Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

12.05.2025

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