IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No.995 of 2022
Date of Decision: 24.02.2026

Shri Singhi Ram .....**Petitioner**

Versus

Smt. Krishna Sharma .....**Respondent**

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioner: Ms. Aashima Kaushik, Advocate, vice Ms. Mamta K. Bhatwan, Advocate.

For the Respondent: Mr. Anuj Bali, Advocate, vice Mr. Ajay Kumar Sharma, Advocate.

Sandeep Sharma, J. *(Oral)*

Being aggrieved and dissatisfied with the order dated 26.09.2015 (Annexure P-2), whereby learned Judicial Magistrate First Class, Shimla, has issued summoning order to the petitioner in Complaint No.166 of 2014, titled *Krishna Sharma Vs. Singhi Ram,* filed under Section 138 of the Negotiable Instruments Act, (for short, '*the Act')*, petitioner has approached this Court in the instant proceedings filed under Section 482 of the Cr.P.C. praying therein to set aside the complaint as well as summoning order, detailed hereinabove.

2. Before afore prayer made on behalf of the petitioner could be heard and decided on its own merits, learned counsel representing the parties apprised this Court that during the pendency of the instant

petition, parties have resolved to settle their dispute amicable inter se them. In terms of the compromise arrived inter se parties, petitioner, against whom complaint under Section 138 of the Act was filed in the competent Court of law, has paid sum of ₹10,50,000/- to the respondent, which fact has been duly acknowledged by learned counsel representing the respondent. Mr. Anuj Bali, Advocate, representing the respondent, further states that he has instructions to state that on account of amicable settlement inter se parties, he shall have no objection in case prayer made in the instant petition for quashing of complaint as well as summoning order, detailed hereinabove, is accepted and petitioner is acquitted.

3. Since it is quite apparent from the statements made by learned counsel representing the parties that parties to the lis have resolved to settle their dispute amicably inter se them and in terms of compromise, disputed amount already stands received by the respondent, coupled with the fact that under Section 482 of the Cr.P.C. (Now Section 528 of the BNSS), this Court has ample power to quash the summoning order and complaint to meet the ends of justice, this Court while exercising power under Section 482 of Cr.P.C. (Section 528 of BNSS)read with Section 147 of the Act, deems it fit to accept the prayer made on behalf of the petitioner.

4. Consequently, in view of the above, present petition is allowed and Complaint No.166 of 2014, titled *Krishna Sharma Vs.*

Singhi Ram (Annexure P-1) as well as summoning order dated 26.09.2015 (Annexure P-2) are quashed and set aside. Petitioner is acquitted of the offence under Section 138 of the Act.

Present petition stands disposed of, along with pending applications, if any.

February 24, 2026 **(Sandeep Sharma),**
Rajeev Raturi **Judge**