IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MMO No. 1257 of 2026

Date of Decision: 06.11.2026

Mohammad Irshad ...Petitioner

Versus

Punjab National Bank ...Respondent

Coram
Hon'ble Mr Justice Rakesh Kainthla, Judge.
Whether approved for reporting?[1] No.

For the Petitioner : Mr. D.N.Sharma, Advocate.

For the Respondent : Mr. Arvind Sharma, Senior Advocate with Ms. Kiran Sharma, Advocate.

Rakesh Kainthla, Judge (oral)

Learned counsel for the petitioner has placed on record receipt 05.11.2026 of ₹56,850/-, which is 15% of the cheque amount of ₹3,79,000/- issued by the Member Secretary, H.P. Legal Services Authority, Kasumpti, Shimla, H.P.

2. Learned counsel for the respondent under instruction, submits that the complainant/respondent does not want to proceed further with the complaint in view of the compromise effected between the parties.

3. In view of above, the judgment passed by learned Additional Sessions Judge, Sundernagar, District Mandi H.P. in

[1] Whether reporters of Local Papers may be allowed to see the judgment? Yes.

Cr. Appeal bearing registration no. 69 of 2024, on 18.08.2025 (learned Appellate Court) affirming the judgment of conviction dated 29.10.2024 and order of sentence dated 30.10.2024, passed by learned Additional Chief Judicial Magistrate, Court No.1, Sundernagar, District Mandi, H.P. (learned trial Court) in Criminal Complaint bearing registration no. 66 of 2019 are ordered to be set aside and the complaint is dismissed as not pressed and judgment passed in Cr. Revision No. 142 of 2026, passed by this Court is also set aside in view of the judgment passed in ***Chune Ram vs. Brikam Chand, 2025:HHC:38122.***

4. Learned counsel for the petitioner submits that an amount of₹2,10,000/- has been deposited in the Court of Additional Chief Judicial Magistrate Sundernagar, District Mandi, H.P. (learned trial Court). Learned counsel for the petitioner submits that said amount shall be disbursed to the petitioner, hence, the amount so deposited before the learned trial Court is ordered to be disbursed in favour of the petitioner by remitting the same to his bank account, on furnishing of his bank details, if not furnished earlier.

5. Learned counsel for the petitioner submits that the accused/petitioner is lodged in District Jail Mandi. The petitioner is ordered to be released forthwith, if not required in any other case.

6. Release warrants be prepared accordingly and the same be sent to the Jail Superintendent, District Jail Mandi, District Mandi, H.P. Shimla and learned Trial Court through ***FASTER*** forthwith for necessary compliance.

7. In view of the above, the present petition stands disposed of, so also the pending miscellaneous application(s), if any

(Rakesh Kainthla)
Judge

06. 11.2026
(ravinder)

RAVINDER KUMAR
Digitally signed by RAVINDER KUMAR
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