

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

2026:PHHC:070704



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CRM-M-43982-2017 (O&M)
Date of decision : 06.05.2026

M/s Swami Autocare Pvt. Ltd. and others**...Petitioners**

Versus

Avtar Singh**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. P. S. Ahluwalia, Senior Advocate with
Mr. H. S. Randhawa, Advocate
for the petitioners.

Mr. Sunil Narang, Advocate
for the respondent/complainant.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the Code of Criminal Procedure (*for short 'the Code'*), is for quashing of Criminal Complaint bearing No. 1 of 2014 (Annexure P-1), titled as ***Avtar Singh v. M/s Swami Autocare Pvt. Ltd. and others***, filed under Sections 406, 420, 427, 467, 468, 471 and 120-B of IPC as well as for quashing of the order dated 26.04.2017 (Annexure P-2), whereby the petitioners had been summoned to face trial in the aforesaid complaint, along with all the subsequent proceedings having emanated therefrom.
2. A perusal of the record reveals that while issuing notice of motion on 21.11.2017, the learned trial Court was directed to adjourn the case beyond

the date fixed before this Court. Thereafter, the present case was adjourned by this Court from time to time and the said interim order is continuing.

3. On 28.07.2025, the present case was listed by the Registry in pursuance of 'Special Mediation Drive'-Mediation 'For the Nation' campaign under NALSA and on noticing that there were chances of an amicable settlement between the parties, the parties were directed by this Court to appear before the Mediation and Conciliation Centre of this Court on 05.08.2025. A report dated 05.05.2026 has been received from the Mediator concerned, whereby it is informed that the parties have amicably settled their dispute and a settlement/agreement dated 05.05.2026 has been reduced into writing, as per which, the respondent/complainant, by moving an appropriate application, shall be at liberty to withdraw the amount of Rs.1,17,500/-, which has been deposited by the petitioners with District Consumer Forum, SAS Nagar. In addition thereto, it has also been agreed that the petitioners shall pay an amount of Rs.5,50,000/- to the respondent/complainant through a demand draft.

4. Today, learned senior counsel for the petitioners has handed over a demand draft of Rs.5,50,000/- to learned counsel for the respondent/complainant in Court itself. A copy of the same has been retained on case file also. Learned senior counsel has, thus, submitted that keeping in view the fact that the matter stands amicably settled between the parties, the present petition may be allowed, thereby quashing the impugned complaint and summoning order.

5. Learned counsel for the respondent/complainant has submitted that since matter stands compromised and in pursuance thereof, he has

received agreed amount of Rs.5,50,000/- from the petitioners by way of a demand draft and shall also be withdrawing the aforementioned amount of Rs.1,17,500/- from the District Consumer Forum, SAS Nagar in due course, he has no objection, if the present petition is allowed.

6. Keeping in view the aforesaid facts and circumstances and following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and the impugned Criminal Complaint bearing No. 1 of 2014 (Annexure P-1), titled as ***Avtar Singh v. M/s Swami Autocare Pvt. Ltd. and others***, filed under Sections 406, 420, 427, 467, 468, 471 and 120-B of IPC and the impugned summoning order dated 26.04.2017 (Annexure P-2) along with all the subsequent proceedings having emanated therefrom are hereby quashed qua the petitioners herein.

7. The respondent/complainant shall be at liberty to withdraw the aforementioned amount of money i.e. Rs. 1,17,500/-, which is lying deposited by the petitioners with the District Consumer Forum, SAS Nagar.

8. However, it is made clear that the parties shall remain bound by the terms and conditions of the aforementioned settlement/agreement.

06.05.2026

Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No