



131

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

**CRM-M-2923-2025  
Date of decision : 20.01.2025**

**Baljit Singh** **.....Petitioner**

**versus**

**Daljit Singh** **..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

\*\*\*

Present :- Ms. Harshmir Kaur Swaitch, Advocate and  
Ms. N.S. Swaitch, Advocate  
for the petitioner.

\*\*\*

**RAJESH BHARDWAJ, J.**

1. Prayer in the present petition is for quashing of complaint filed by the respondent bearing NACT No.57 of 2022 dated 07.02.2022 titled as Daljit Singh Vs. Baljit Singh under Section 138 of the Negotiable Instruments Act, pending before the learned Sub Divisional Judicial Magistrate, Amloh, District Fatehgarh Sahib on the basis of compromise dated 15.04.2024. Further prayer has been made for quashing of the impugned order dated 15.10.2022 vide which the petitioner has been declared as proclaimed person by learned JMIC, Khanna, illegally, arbitrary and against the well settled law.

2. It has been submitted by counsel for the petitioner that petitioner was prosecuted in the impugned complaint however, on filing the same, he was declared as proclaimed person vide impugned order dated 15.10.2022. She submits that now both the parties have amicably resolved their issues and thus, prosecution in the complaint is nothing but an abuse of the process of the Court. She further submits that petitioner is



ready to appear before the Court however, on account of the proclamation, he is unable to appear. He submits that now petitioner is ready and willing to join the proceedings and abide by the terms and conditions of bail.

3. Notice of motion.

4. Ms. Sukhan Rangi Sekhon, Advocate for Mr. Brajesh Sharma, Advocate accepts notice on behalf of the respondent and has affirmed the submissions made by counsel for the petitioner that the matter has already been compromised. She further submits that she has no objection if the present petition is allowed and the complaint as well as order declaring the petitioner as proclaimed person are set aside.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that during the trial of a complaint case initiated by respondent, the petitioner absented himself and was ultimately declared as proclaimed person vide order dated 15.10.2022. As the matter has been settled between the parties, no useful purpose will be served by keeping the order dated 15.10.2022 alive and sending the petitioner to face the consequences of the said order especially when the complainant has no grudge against the petitioner and has no objection if the present petition is allowed. Keeping in view the above facts, this Court deems it appropriate to quash the complaint bearing NACT No.57 dated 07.02.2022 titled as *Daljit Singh Vs. Baljit Singh* under Section 138 of the NI ACT as well as order dated 15.10.2022 filed by the petitioner subject to payment of Rs.15,000/- as costs to be paid to the complainant within a period of 07 days from today before the trial Court and the trial Court will issue notice to the complainant and on his appearance, the amount of Rs.15,000/- shall be paid to the complainant forthwith. Petitioner will have protection from



arrest for a period of 15 days from today.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of this order and the order dated 15.10.2022 would stand automatically revived and the present petition shall be deemed to have been dismissed.

7. Disposed of in above terms.

**20.01.2025**  
*m. sharma*

**( RAJESH BHARDWAJ )**  
**JUDGE**

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