

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 8/2017

1. Navratan Vidhya Mandir Shiksha Samiti Through Its Secretary Sangam Mishra, Office At Near Ambabari Circle, Ambabari, Jaipur Raj.
2. Sangam Mishra Secretary, Navratan Mandir Shiksha Samiti, At Present Central Academy, Sardarpura, Udaipur Raj.

----Petitioners

Versus

B.k. Constructions Through Proprietor, Virendra Kumar Shah S/o Shri Buttan Shah B/c Mahajan, R/o E-445, Vaishali Nagar, Jaipur Raj.

----Respondent

For Petitioner(s) : Mr. M.C. Jain

For Respondent(s) : Mr. Anil Jain

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Order

31/05/2019

1. Petitioner has preferred this Criminal Miscellaneous Petition seeking quashing of proceedings pending before N.I. Act Court No.9, Jaipur Metro in Case No.461/2016.
2. It is contended by counsel for the petitioner that immediately after receipt of notice of filing of the complaint, petitioner appeared before the Court. On depositing a demand draft there was some error in the demand draft. In place of "B.K. Construction" the demand draft was drawn in favour of "S.K. Construction". A fresh demand draft in the name of B.K. Construction was produced before the Court.

3. It is contended that petitioner is willing to pay the cost as deemed proper by the Court. With the consent of parties, this Court has assessed the total amount at Rs.5,00,000/- (Rupees Five Lac Only) which includes the cheque amount.

4. Complainant is present in person who has not objected to the compounding of the offence and the payment of Rs.5,00,000/- by the accused-petitioners.

5. I have considered the contentions.

6. In view of the fact that parties have amicably settled the dispute, the present Criminal Miscellaneous Petition is allowed. Offence is compounded.

7. Petitioners are required to now get the demand draft of Rs.3,00,000/- (Rupees Three Lac Only) re-validated and further give a demand draft of Rs.2,00,000/- (Rupees Two Lac Only) to the complainant on 13th of June, 2019 before the Court below.

8. Trial Court should return the demand draft for re-validation.

9. On payment of demand draft, proceedings pending before the Court below shall stand quashed.

10. Stay application stands disposed.

(PANKAJ BHANDARI),J

AMIT KUMAR /188

सत्यमेव जयते