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IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

CRIMINAL REVISION NO. 30 / 2015

APPLICANT

(In -Jail)

: Badri Prasad Dewangan S/o
Manuram Dewangan, aged
about 58 years, R/o Baloda,
Police Station Baloda, Civil and
Revenue District - Janjgir
Champa, District Janjgir-
Champa (C.G.).

*To Ken 10/00/14
Presented by Mr. [Signature]
[Signature] 14/11/15*

VERSUS

NON-APPLICANTS

:1. Radhelal Dewangan S/o Nanki
RamDewangan, aged about 50
years, R/o Dewangan Mohalla,
Ward No. 8, Champa, Police
Station and Tahsil Champa,
Civil and Revenue District -
Janjgir-Champa (C.G.)

Complainant

2. State of Chhattisgarh,
Through - District Magistrate,
Janjgir-Champa, (C.G.).

<u>CONVICTION</u>	<u>SENTENCE</u>
U/s. 138 of Negotiable Instrument Act.	S.I. for 6 months and fine amount of Rs. 10000/- and in default of payment of fine amount further S.I. for 4 months.

[Signature]

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	(Fine amount has been deposited before the court below).
Complaint Case No.	141/2008 (Also mentioned as Cr. Case No. 141/08 in the order passed by learned Second Additional Sessions Judge, J.M.F.C. Champa Janjgir-Champa (C.G.)
Civil and Revenue District	Janjgir-Champa (C.G.)

CRIMINAL REVISION UNDER SECTION 397 READ WITH SECTION 401 OF THE CODE OF CRIMINAL PROCEEDURE

Being aggrieved by the impugned judgment of conviction and sentence dated 13.01.2015 passed by the court of learned ~~Second Additional Session Judge,~~ Janjgir, District- Janjgir-Champa (C.G.) in Criminal Appeal No. 99/2011, arising out of judgment of order dated 20.06.2011 passed in Criminal Case No. 141/2008 (mentioned as complaint case no. 141/08) by the court of learned Judicial Magistrate First Class, Champa, District- Janjgir-Champa (C.G.). The applicant begs to prefer the revision under the following facts and grounds:-

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14/4/15



NATIONAL LOK ADALAT

Dated 11 April, 2015

Compromise Petition

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 30 of 2015

1. Badri Prasad Dewangan S/o Manuram Dewangan Aged About 58 years
R/O Baloda Police Station Baloda, Civil & Revenue District Janjgir
Champa District Janjgir Champa C.G.

---- Applicant

Versus

1. Radhelal Dewangan S/o Nanki Ram Dewangan Aged About 50 Years
R/O Dewangan Mohalla, Ward No. 8, Champa, Police Station & Tahsil
Champa, Civil & Revenue District Janjgir Champa C.G.
2. State Of C.G. Through - District Magistrate, Janjgir Champa C.G.

---- Non-applicants

Applicant Badri Prasad Dewangan present in person along with his counsel Mr. Anil Gulati.

Non-applicant No.1 Radhelal Dewangan present in person along with his counsel Mr. P.K. Dhurandhar.

Ms. Shobha Kashyap, Deputy Govt. Advocate for the State/non-applicant No.2.

AWARD

11/04/2015

1. Non-applicant No.1 Radhelal Dewangan is identified by his counsel Mr. P.K.Dhurandhar before the Court.

2. The compromise petition is jointly filed by the parties along with their signatures. As per the petition, the applicant and non-applicant No.1 settled their dispute outside the Court and non-applicant No.1 has received settled amount cheque for Rs.10,000/-, hence, the criminal revision may be disposed of accordingly and the case may be closed in favour of the applicant.

3. On due consideration, the compromise petition is allowed as the parties entered into compromise under Section 147 of Negotiable Instrument Act, the applicant is hereby acquitted from the offence under Section 138 of the Negotiable Instrument Act.

4. Learned counsel for the applicant submits that as the applicant



deposited the fine amount awarded as per para 22 of the judgment dated 20-06-2011 and the same is not ordered to be given to applicant No.1 and now the applicant is acquitted and compromise between the parties is permitted, therefore, the fine amount paid by him may be refunded.

5. As the applicant is acquitted as per provisions of Section 320(8) of the Cr.P.C., as prayed, it is ordered that if fine amount Rs.10,000/- is deposited before the trial Court, the same be refunded on production of certified copy of this award before the trial Court concerned.

6. With above observation and direction, this criminal revision stands disposed of.

Sd/-
(C.B.Bajpai)
Judge- Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
Member - Lok Adalat
High Court of Chhattisgarh
Bilaspur