Daily Lok Adalat **Bench No.1**

501 **Crl. Rev. No. 428 of 2013**

GURDEV SINGH V/S MAKHAN SINGH

Present: Petitioner-in person with
Mr. P.K.S. Phoolka, Advocate

Respondent-in person with
Mr. Hitesh Verma, Advocate and
Mr. Harsukhdeep Singh Dhillon, Advocate

* * * *

Gurdev Singh, petitioner in this case had issued a cheque in favour of respondent-Makhan Singh to the tune of ₹1,30,000/-. However, when the same was presented for encashment in the bank, the same was dishonoured on the ground “insufficient funds”. Respondent-Makhan Singh had then filed a complaint under Section 138 of the Negotiable Instruments Act against Gurdev Singh. The Trial Court vide judgment dated 22.9.2011 convicted Gurdev Singh and sentenced him to undergo R.I. for a period of one year and a fine of ₹2,000/-. Appeal filed by Gurdev Singh was also dismissed by the Additional Sessions Judge, Bathinda vide judgment dated 18.12.2002 and conviction and sentence were upheld. Gurdev Singh filed the present revision petition.

During the pendency of the revision petition a compromise has been arrived at between the parties that respondent-complainant-Makhan Singh has received a sum of ₹1,30,000/- (the amount represented by the cheque) from petitioner-Gurdev Singh. He has made a statement today to the aforesaid effect and also stated that the offence may be compounded and the complainant's complaint under Section 138 of

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the Negotiable Instruments Act may be dismissed as withdrawn.

Petitioner-Gurdev Singh has also made a statement that he has heard the statement of respondent-Makhan Singh and he accepts the same.

In view of the statements of the parties, we dismiss the complaint of the complainant under Section 138 of the Negotiable Instruments Act against Gurdev Singh-petitioner as withdrawn.

Since the complaint itself stands dismissed as withdrawn, resultantly, the conviction and sentence of petitioner-Gurdev Singh will also be deemed to be set aside.

In view of the above, the revision petition has been rendered infructuous and the same be disposed of as such.

Copy of the order and statements be given to learned counsel/parties and file be returned to the High Court.

(R.S.MONGIA)
PRESIDENT

25.05.2015 (R.K.NEHRU)
Janki MEMBER

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