

CRM-M-1499-2015

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In the High Court of Punjab and Haryana at Chandigarh.

CRM-M-1499-2015 (O&M)
Date of Decision:18.08.2015

Kanta Devi

...Petitioner

Versus

The Sangrur Central Co-operative Bank Ltd and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. A.K. Goyal, Advocate,
for the petitioner.

Mr. Mohit Sadana, Advocate,
for respondent No.1.

Mr. A.S. Sidhu, AAG, Punjab.

SABINA, J.

Petitioner had faced trial in a complaint filed by the respondent No.1 under Section 138 of the Negotiable Instruments Act, 1881 (for short 'the Act') qua dishonour of cheque dated 11.09.2009, in the sum of Rs.1,03,300/-. Trial Court, vide order dated 23.11.2012, ordered the conviction and sentence of the petitioner qua commission of offence punishable under Section 138 of the Act. The said order passed by the trial Court was upheld by the appellate Court vide order dated 22.04.2015. Hence, the present petition.

Learned counsel for the petitioner has submitted that now the parties have amicably settled the dispute.

Petitioner has paid the due amount to respondent No.1 and has also deposited the compounding fee of Rs.15,495/- vide receipt dated 03.08.2015 i.e. 15% of the cheque amount.

Learned counsel for respondent No.1 has admitted the fact that the petitioner has paid the due amount to respondent No.1 and has submitted that respondent No.1 has no objection if the petitioner is ordered to be acquitted.

Accordingly, as the offence has been compounded, this petition is allowed. Impugned orders of the Courts below are set aside. Consequently petitioner is ordered to be acquitted. The amount of Rs.15,495/- deposited by the petitioner with the Registry is ordered to be transferred in the name of High Court Legal Services Committee, Chandigarh.

August 18, 2015
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(SABINA)
JUDGE