

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

CRR No.1576 of 2015 (O&M)

Date of decision: 15th September, 2015

Veena Rani

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Saurav Khurana, Advocate
for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for respondent No.1.

Mr. H.S. Bedi, Advocate
for respondent No.2.

FATEH DEEP SINGH, J.

Petitioner Veena Rani was found guilty and convicted under Section 138 of the Negotiable Instruments Act, 1881 by the trial Court of learned Judicial Magistrate 1st Class, Jalandhar through judgment dated 25.09.2014 and was sentenced to undergo rigorous imprisonment for three months and to pay a fine of ₹2,000 and in default to undergo simple imprisonment for 15 days, and which

findings were affirmed by the appellate Court of learned Additional Sessions Judge, Jalandhar vide judgment dated 29.04.2015.

During the pendency of this revision petition, a request was made seeking quashment of the criminal complaint and all consequent proceedings including judgment of conviction on the basis of a compromise arrived at between the parties, whereupon report of the Court below was called for.

Report dated 15.07.2015 of learned Civil Judge (Jr. Divn.)-cum-Judicial Magistrate 1st Class, Jalandhar has been received whereby after recording statements of Harbhajan Singh, authorized person and Manager of the complainant Company and the accused namely Veena Rani, the Court has shown its satisfaction that the compromise Ex.C1 has been arrived at voluntarily, out of free will of the parties, without any undue influence, coercion or pressure.

In the light of the satisfaction shown by the Court, the fact that the offence for which the accused has been hauled up is not of serious nature, together with the fact that compromise will go a long way in ironing out differences for betterment of future life of the parties and in view of the law laid down by a Division Bench of this Court in **‘Sube Singh and another v. State of Haryana and another’ 2013(4) RCR (Criminal) 102** and by the Hon’ble Apex Court in **2012(10) SCC 303** titled as **‘Gian Singh v. State of Punjab and another’** and **2014(6) SCC 466** titled as **‘Narinder Singh and others v. State of Punjab and another’**, criminal complaint No.Nact/31272/2013 dated

26.11.2012 under Section 138 of the Negotiable Instruments Act, 1881 along with judgment of conviction dated 25.09.2014 passed by learned Judicial Magistrate 1st Class, Jalandhar and judgment dated 29.04.2015 of learned first appellate Court and all consequences arising thereof are hereby quashed. The petitioner Veena Rani being a guarantor for repayment of the loan amount and in view of the exceptional circumstances, compensatory costs as laid down in **‘Damodar S. Prabhu v. Sayed Babalal H.’ 2010(5) SCC 663** are waived off.

The revision petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

September 15, 2015
rps