

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

1. CRR No. 1767 of 2015 (O&M)
Date of decision: 20.05.2015.

Richhpal Petitioner.
Versus
State of Haryana and another Respondents.

2. CRR No. 1797 of 2015 (O&M)
Date of decision: 20.05.2015.

Richhpal Petitioner.
Versus
State of Haryana and another Respondents.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Arjun Atri, Advocate, for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana, for respondent No. 1.

Mr. John Kumar, Advocate, for respondent No. 2.

NAVITA SINGH, J. (ORAL)

Notice of motion.

State counsel, who is present in Court, accepts notice on behalf of respondent No. 1 while Mr. Johan Kumar, Advocate, accepts notice on behalf of respondent No. 2.

The petitioner was convicted under Section 138 of the Negotiable Instruments Act, 1881, by the trial Court and was directed to pay an amount of Rs.5.25 lac to the complainant, i.e. respondent No. 2 herein, within a stipulated period and in case of default in payment, he was to undergo simple imprisonment for a period of six months.

The order was challenged by the petitioner, who prayed for acquittal, while the complainant challenged it for enhancement of the amount of compensation and also for imprisonment. The appeal filed by

the petitioner was dismissed and the appeal filed by the complainant was allowed insomuch as the amount awarded by the trial Court remained the same, but the petitioner was sentenced to undergo simple imprisonment for one year in addition to paying the compensation.

Parties have now entered into a compromise and the complainant has agreed to receive the amount of Rs.5.25 lac for compounding the offence and he has no objection if the petitioner is acquitted.

Payment of Rs.5.25 lac has been made by way of bank draft No. 863748 dated 29.04.2015 drawn on Canara Bank payable at Palwal. The complainant, i.e. respondent No. 2, who is present in Court and identified by his counsel, has received the draft.

Compromise is accepted. The petition filed by the petitioner, i.e. CRR No. 1767 of 2015, is allowed and the petitioner is acquitted of the charges framed against him. Consequently, no separate order is required to be passed in CRR No. 1797 of 2015, as the amount of compensation already stands paid.

The petitioner, who is stated to be in custody, is ordered to be released forthwith, if not wanted in any other case.

Both the petitions are disposed of accordingly.

A copy of the order be placed on the file of CRR No. 1797 of 2015.

(NAVITA SINGH)
JUDGE

20.05.2015
Ramesh