

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 1844 of 2015 (O&M)
Date of decision : 25.08.2015

Satnam Singh and another

..... Petitioners

versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Liaqat Ali, Advocate
for the petitioners

Mr. Deep Singh, AAG Punjab

Mr. Ghulam Nabi Malik, Advocate
for respondent No. 2

ANITA CHAUDHRY, J. (ORAL)

CRM No. 21579 of 2015 in/and
CRR No.1844 of 2015

This is an application for compounding the offence.

The applicant-petitioner Satnam Singh was convicted under Section 138 of the Negotiable Instruments Act and was sentenced to undergo rigorous imprisonment for a period of 1 year and was also directed to pay fine of Rs. 1000/-. The petitioner had placed on record a copy of the compromise (Annexure R-1). It is stated that the matter has been compromised between the parties.

The petitioner was granted interim bail on the last date of hearing.

Learned counsel for the petitioner states that as per ***Damodar S. Prabhu Vs. Sayed Babalal H, 2010(5) SCC 663***, an additional amount of 15% of the cheque amount as cost of Rs. 15,000/- has been deposited on behalf of petitioner in the High Court.

Photocopy of a receipt in this regard has also been placed on record by learned counsel for the petitioner.

Learned counsel for respondent No. 2 states that the matter has been compromised and he has no objection if the judgment/order of conviction and sentence are set aside.

Considering the above circumstances, the offence under Section 138 of the Negotiable Instruments Act is compounded.

Keeping in view the fact that the matter has been finally settled, the liability is discharged; the present petition is allowed; judgment of conviction and order of sentence dated 05.02.2015 passed in complaint case No. NACT/1638/13, by the JMJC, Ferozepur; and judgment dated 30.04.2015, passed in Criminal Appeal No. 15/18.02.2015 by the Additional Sessions Judge, Ferozepur confirming the conviction and sentence of the accused-petitioner, is set aside. The petitioner is acquitted of the charges.

August 25, 2015

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**(ANITA CHAUDHRY)
JUDGE**