

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1899 of 2015 (O&M).
Decided on:-July 16, 2015.

Parminderpal.Petitioner.
Versus

Ajaib Singh.Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

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

HARI PAL VERMA, J. (ORAL)

At this stage, Mr. Amit Aggarwal, Advocate has put in appearance on behalf of the respondent, namely, Ajaib Singh and has placed on record power of attorney as well as compromise entered into between the respondent and Amarjeet Singh Walia son of Narinder Singh Walia (father of the petitioner).

The petitioner has filed the present revision petition challenging judgment of conviction and order of sentence dated 18.12.2014 passed by the Chief Judicial Magistrate, SAS Nagar, Mohali whereby he was convicted for commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as 'the Act') and was sentenced to undergo rigorous imprisonment for two years and compensation to the tune of Rs.3 lacs. However, even the appeal filed by the petitioner against that order was dismissed by learned Additional Sessions Judge, SAS Nagar,

Mohali vide judgment dated 28.4.2015. It is against the aforesaid judgment, the petitioner has preferred the present petition.

However, during the pendency of the present petition, the parties have entered into a compromise and as per the terms of compromise, the respondent-complainant has already been paid an amount of Rs.50,000/- by way of bank draft No.153204 dated 30.6.2015. The terms of compromise further say that the petitioner-accused will make payment of the remaining outstanding amount within eight months.

Learned counsel for the respondent-complainant has accepted the aforesaid terms of compromise dated 16.7.2015 and has no objection in case the present petition is accepted and the impugned judgments passed by the courts below are set aside.

In view of the fact that the parties have compromised the matter and the offence under Section 138 of the Act is compoundable, the present revision petition is accepted and the impugned judgment and order dated 18.12.2014 passed by the Chief Judicial Magistrate, SAS Nagar, Mohali as also the judgment dated 28.4.2015 passed by the Additional Sessions Judge, SAS Nagar, Mohali are set aside. Accordingly, the petitioner shall be released from custody forthwith, if not required in any other case.

(HARI PAL VERMA)
JUDGE

July 16, 2015
'Yag Dutt'