

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

VARINDER SINGH
2015.06.12 20:04
Attest to the accuracy and integrity
of this document
Punjab & Haryana High Court at
Chandigarh

CRR No. 2134 of 2015 (O&M)

Rishi Pal

..... Petitioner

VS

State of Haryana and another

..... Respondents

Present: Mr. Arvind Singh, Advocate, for the petitioner.
Mr. Vishal Garg, Additional Advocate General, Haryana.
Mr. Pankaj Bali, Advocate, for respondent no. 2.

Rajesh Bindal, J.

Challenge in the present revision is to the judgment of the learned Lower Appellate Court whereby the appeal filed by the petitioner against his conviction under Section 138 of the Negotiable Instruments Act, 1881, was dismissed as time barred.

Though learned counsel for the petitioner submitted that the judgment of the Court below is erroneous as delay in filing the appeal could be condoned which was merely 7 days, but still he submitted that the matter in dispute has been compromised with the complainant. A sum of ₹ 40,000/- has been paid as full and final settlement. A sum of ₹ 12,000/- has been deposited with the District Legal Services Authority, Yamuna Nagar vide receipt no. 113251 dated 13.5.2015, as fine. Hence, the conviction of the petitioner be set aside. The offence is compoundable.

Learned counsel for respondent no. 2- complainant does not dispute the fact that the matter in dispute has been compromised and he has received a sum of ₹ 40,000/- as full and final settlement of the claim against the petitioner.

After hearing learned counsel for the parties and considering the aforesaid submissions, once the matter in dispute has been compromised, the parties are permitted to compound the offence. The revision petition is allowed. Conviction of the petitioner is set aside. He is directed to be released forthwith, unless required in any other case.

12.6.2015

VS

(Rajesh Bindal)
Judge