

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-34451-2015 in/&
CRR No.769 of 2010 (O&M)
Date of decision: February 15, 2016.

PAWAN KUMAR

... **Petitioner**

v.

STATE BANK OF INDIA & ANR

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. A.S. Kakkar, Advocate for the petitioner.

Mr. IPS Doabia, Advocate for respondent No.1.

Mr. Ashish Sanghi, Dy. Advocate General, Punjab.

1. *Whether Reporters of local papers 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?*

Kuldip Singh, J. (Oral):

CRM-34451-2015

The present revision has been filed against the concurrent findings of the two courts below. Petitioner-revisionist has filed the present application for compounding the offence punishable under Section 138 read with Section 142 of the Negotiable Instruments Act, 1881 (in short the Act). The petitioner was convicted by learned Chief Judicial Magistrate, Faridkot for commission of offence punishable under Section 138 of the Act and was accordingly sentenced to undergo RI for two years and to pay a fine of Rs.5,000/- and in default of payment of fine, further undergo

RI for two months. The appeal filed by the petitioner was dismissed by learned Additional Sessions Judge, Faridkot. Keeping in view the fact that the parties have compromised, the revision which stands admitted is taken on board today for hearing.

CRM stands disposed of.

CRR-769-2010

Heard.

The complaint was filed under Section 138 read with Section 143 of the Act by the State Bank of India, Faridkot. Learned counsel for the State Bank of India has today stated that the entire amount has been paid and the loan has been liquidated. Therefore, the compromise between the parties dated 10.7.2014 is affirmed.

Keeping in view the fact that the offence has been lawfully compounded, accordingly the judgments dated 25.2.2009 passed by learned Chief Judicial Magistrate, Faridkot convicting the accused and the judgment dated 27.2.2010 passed by learned Additional Sessions Judge dismissing the appeal filed by the accused are set aside and the complaint filed by the Bank stands dismissed. Accused is acquitted.

The petition stands allowed accordingly.

February 15, 2016.
kadyan

[Kuldip Singh]
Judge