

Rakesh Kumar Vs. State of Punjab and anr.

Present: Rakesh Kumar – petitioner in person.

Ms.Ambika Sood, DAG, Punjab,
for respondent No.1.

Satnam Singh Gulati – respondent No.2 in person.

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Present revision petition has been filed by the accused/petitioner against the judgment of conviction and the order of sentence dated 04.01.2011 passed by the Court of learned Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar, convicting the petitioner under Section 138 of the Negotiable Instruments Act and sentencing him to undergo simple imprisonment for a period of one year and to pay a fine of ₹5000/- and in default of payment of fine, to further undergo simple imprisonment for 15 days, which conviction and sentence was confirmed in appeal by learned Additional Sessions Judge, Shaheed Bhagat Singh Nagar, vide judgment dated 12.04.2012. Aggrieved by the judgments of the Courts below, the petitioner has come up in revision.

It has been stated by the parties that they have compromised, in which regard statements of the parties have been recorded. It has been stated by the petitioner – Rakesh Kumar that he has brought ₹20,000/- (₹ Twenty Thousand Only) and has paid the said amount to respondent No.2 - Satnam Singh Gulati today in the Lok Adalat. It has been stated by respondent No.2 that he has received ₹20,000/- from the petitioner as full and final settlement of his claim. It has been further stated by respondent No.2 that he has no objection if the present revision petition is accepted and the impugned judgments passed by the Courts below are set aside and the

petitioner is acquitted.

In view of the statements of the parties, the present revision petition is accepted and the impugned judgments of conviction and sentence passed by the Courts below are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

(R.K.Nehru)
President

21.11.2016
P.Seth

(Ram Chand Gupta)
Member