

Satwinder Singh Vs. Malwa (Ludhiana) Motor Finance Ltd. and anr.

Present: Satwinder Singh – petitioner in person with
Mr.J.S.Lalli, Advocate.

Mr.Vazir Singh, authorized representative of respondent No.1
in person with Mr.D.S.Randhawa, Advocate.

Ms.Sunanda Rattan, Addl. A.G., Punjab for respondent No.2.

* * * *

Power of Attorney on behalf of respondent No.1 has been filed
today by Mr.D.S.Randhawa, Advocate.

Present revision petition has been filed by the
accused/petitioner against the judgment of conviction and order dated
12.01.2010 passed by the Court of learned Judicial Magistrate Ist Class,
Jalandhar, convicting the petitioner under Section 138 of the Negotiable
Instruments Act and sentencing him to undergo rigorous imprisonment for
one year and to pay a fine of ₹3,000/- and in default of payment of fine, to
further undergo imprisonment for one month, which conviction and
sentence was confirmed in appeal by learned Additional Sessions Judge,
Jalandhar, vide judgment dated 27.08.2012. Aggrieved by the judgments of
the Courts below, the petitioner has come up in revision.

It has been stated by the parties and their counsel that the
parties have compromised, in which regard statements of the parties have
been recorded. Learned counsel for respondent No.1 has stated that
authorized representative of respondent No.1 has received two demand
drafts bearing No.003065, drawn on AXIS Bank Ltd., IFS Code
UTIB0000857, for a sum of ₹80,000/- (₹ Eighty Thousand Only) and
No.665533 dated 08.11.2016, for a sum of ₹20,000/- (₹ Twenty Thousand

(Hoshiarpur) Pb. - 144205 and one crossed-cheque bearing No.949491 dated 14.12.2016, for a sum of ₹20,000/- (₹ Twenty Thousand Only) drawn on Punjab National Bank G.T.Road, Dasuya (Hoshiarpur) Pb.- 144205 RTGS/NEFT IFS Code : PUNB0061500, photocopies of which are Mark 'A' to Mark 'C', from the petitioner today in the Lok Adalat as full and final settlement of the claim of respondent No.1 with the petitioner and now, respondent No.1 has no grievance against the petitioner. It has been further stated that respondent No.1 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

(Ram Chand Gupta)
Member

16.12.2016
P.Seth