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**Criminal Revision No. 3986 of 2012
Criminal Revision No. 3987 of 2012
Criminal Revision No. 3988 of 2012**

DEVINDER SINGH & ANOTHER V/S STATE OF U.T & ANOTHER

Present: Petitioner No.1-in person

Respondent No.2-Sudagar-in person with
Mr. Rajnikant Upadhyaya, Advocate

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We propose to dispose of all the above referred three revision petitions by this common judgment.

The facts are that petitioner-Devinder Singh had issued three different cheques bearing No.300925 dated 25.2.2003 for a sum of ₹ 40,000/-, a cheque bearing No.300924 dated 25.1.2003 for a sum of ₹ 30,000/- and a cheque bearing No.300922 dated 25.10.2012 for a sum of ₹ 20,000/- in favour of Sudagar Singh-complainant. The said three cheques had been disnonoured by the bank.

Sudagar Singh-complainant filed three separate complaints against the present petitioner-Devinder Singh and others. The said complaints resulted into conviction of petitioner-Devinder Singh. He was convicted under Section 138 of the Negotiable Instruments Act, 1881. He was sentenced to undergo rigorous imprisonment for a period of one month in each case and to pay compensation of ₹ 20,000/-, ₹ 15,000/- and ₹ 10,000/- respectively.

The petitioner in all the three cases filed the appeals. Complainant also filed the revision petitions. The appeals as well as revision petitions were dismissed by Addl. Sessions Judge, Chandigarh on

6.12.2012.

Resultantly, petitioner-Devinder Singh preferred the present revision petitions.

During the pendency of the revision petitions, petitioner had deposited compensation of ₹ 45,000/- (₹ 20,000/- + ₹ 15,000/- + ₹ 10,000/-), compensation so awarded, in the Hon'ble High Court.

The matter has been referred to the Lok Adalat.

The matter has been settled between petitioner-Devinder Singh and complainant-Sudagar Singh. It was agreed that petitioner-Devinder Singh shall pay a total sum of ₹ 40,000/- (in all the three cases), out of which he shall pay ₹ 20,000/- on 19.7.2016, ₹ 10,000/- on 19.8.2016 and ₹ 10,000/- on 19.9.2016 without any default. Petitioner also had undertaken that in case of default his pending revision petitions be treated as dismissed and he shall undergo remaining sentence and had undertaken to make the said payments.

Complainant had also agreed to the said settlement. He has further stated that the amount of ₹ 45,000/- which has been deposited by petitioner-Devinder Singh in the Hon'ble High Court be also released to him.

Petitioner had paid the first installment of ₹ 20,000/- on 19.7.2016.

Today the petitioner has paid ₹ 20,000/- to the complainant including future/last installment which was to be paid on 19.9.2016. The complainant-Sudagar Singh has received the amount and has made a statement that since he has received the said payments collectively, nothing remains due towards petitioner-Devinder Singh so far these cases are concerned and as such, he does not want to pursue the present complaints

and the same may be dismissed as withdrawn. He seeks the said compensation amount of ₹ 45,000/- stands deposited in the Hon'ble High Court.

The matter has been compromised between the parties and complainant seeks that his complaint be dismissed as withdrawn. In this background, keeping in view the spirit of Section 147 of the Negotiable Instruments Act, 1881, we allow the parties to compound the offence. The natural corollary is that convictions and sentences, so recorded by the Trial Court and upheld by the Appellate Court to petitioner-Devinder Singh is set aside and he stands acquitted of the charges against him. The amount of compensation of ₹ 45,000/- lying deposited in the Hon'ble High Court be released to complainant-Sudagar Singh against receipt and identification.

The revision petitions have been disposed of accordingly in the aforesaid terms.

Copy of the order and statement be given to learned counsel/parties.

Copy of the order be placed on the file of connected cases.

(R.S.Mongia)
President

19.08.2016
Janki

(Arvind Kumar)
Member