

515

Criminal Revision No. 961 of 2012

SUKHJIT SINGH

V/S

JIT SINGH

Present: Mr. Naresh Jain, Advocate
for the petitioner

Respondent-in person with
Mr. Sanjeev Sharma, Advocate

* * * *

Petitioner-Sukhjit Singh s/o Sh. Tara Singh was convicted for dishonouring of the cheque of ₹ 2,00,000/- dated 31.3.2002 under section 138 of the Negotiable Instruments Act and sentenced to undergo S.I. for one year and also to pay a fine of ₹ 5,000/- and in default of the payment of fine, to further undergo S.I. for a period of one month. It was further ordered that out of the fine amount, if deposited by the accused, an amount of ₹ 4500/- shall be payable to complainant as compensation under the provisions of Section 357 of the Code of Criminal Procedure, but after the decision of appeal, if any preferred by the accused. The appeal filed by the petitioner was also dismissed on 21.3.2012. He filed the present revision petition. During the pendency of the revision petition his sentence was suspended and it was ordered that the release warrant would be issued only when the petitioner deposits a demand draft of ₹2,00,000/- in favour of complainant-Jit Singh son of Sh. Bhagwan Singh which is stated to have been paid.

The matter has now been compromised between the parties. Learned counsel for the petitioner had made a statement that upon instructions of his client the matter is settled by payment of

another sum of ₹ 40,000/- in lump sum to respondent-Jit Singh over and above ₹2,00,000/- already paid pursuant to the order of the Hon'ble High Court dated 28.3.2012. Respondent-complainant Jit Singh has also made a statement that ₹2,00,000/- had already been received by him. Today he has received in cash a sum of ₹40,000/- and now he has no grievance against the petitioner any more. He does not want to pursue the present complaint and the same may be dismissed as withdrawn.

₹40,000/- has been paid by the petitioner to the respondent-complainant in cash in the presence of the Court. The offence is compoundable. According to the statement of complainant-Jit Singh, the complaint having been withdrawn, necessarily the conviction and sentence recorded by the Trial Court and upheld by the Appellate Court is set aside and present revision petition is disposed of as having become infructuous.

For the purpose of identification the petitioner has submitted photo-copy of his driving licence (original seen and returned).

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

(R.S.MONGIA)
PRESIDENT

04.05.2016
Janki

(ARVIND KUMAR)
MEMBER