225 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.1203 of 2014 (O&M)
Decided on: 31.08.2016.

Jagir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. IPS Issar, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab.

Mr. R.K. Dadwal, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

This revision is directed against the judgment and order dated 25.07.2007, passed by Sub-Divisional Judicial Magistrate, Dasuya vide which the petitioner was convicted under Section 420 IPC and sentenced to undergo RI for three years and to pay fine of Rs.5000/- with default stipulation; and the judgment dated 18.02.2014, passed by Additional Sessions Judge (Adhoc), Fast Track Court, Hoshiarpur whereby the appeal filed by the petitioner was dismissed.

During the pendency of present revision petition, the matter stands settled between the parties as per settlement/agreement (Annexure A-1). Out of the disputed amount of Rs. 6,85,000/-, the complainant has received Rs.3,85,000/- on 21.01.2016. Out of the remaining amount, Rs. 1 lac has already been deposited by the

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petitioner in the Court of CJM, Hoshiarpur vide receipt No.072509 dated 4.11.2014 and Rs.2 lacs had been deposited by the petitioner before the registry of this Court.

Keeping in view the fact that the whole amount allegedly cheated by the petitioner has been returned to the complainant; the offence committed is compoundable in nature, so, this Court allows the compounding of offence. Consequently, the present revision petition is allowed and the impugned judgments and order are set aside. The petitioner stands acquitted of the charges framed against him.

The registry of this Court as well as CJM, Hoshiarpur are directed to release the amount in favour of complainant, Bhan Singh son of Budhi Singh, on his making application in this regard.

31.08.2016. **(JITENDRA CHAUHAN)**
SN **JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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