

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

Sr. No.109+248

**CRM Nos.31642 & 31643 of 2016 in/and  
CRR No.1438 of 2016  
DECIDED ON: October 04, 2016**

**JASBIR SINGH**

**..PETITIONER**

**VERSUS**

**HARCHAND SINGH & ANOTHER**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Petitioner in person with  
Mr. Paramjit Singh Sullar, Advocate.

Respondent No.1-Harchand Singh in person with  
Mr. Rakesh Chopra, Advocate.

Mr. RPS Sidhu, AAG, Punjab,  
for respondent No.2 - State.

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**JASPAL SINGH, J. (ORAL)**

**CRM No.31642 of 2016**

This is an application for placing on record compromise dated  
October 01, 2016 as Annexure P-1.

Heard.

Application is allowed as prayed for.

Compromise dated 01.10.2016 (Annexure P-1) is taken on  
record subject to all just exceptions and be tagged at its appropriate place.

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**CRR No.1438 of 2016**

Challenge in the revision petition is to the order dated April 02, 2016 passed by the Additional Sessions Judge, Patiala, whereby an appeal preferred by the revisionist against the order dated July 17, 2015 was dismissed, vide which the petitioner(s) was convicted under Section 138 of Negotiable Instruments Act, 1881 and sentenced to undergo RI for a period of 02 years and to pay a fine of Rs.5000/-.

During the pendency of the instant revision petition, parties have effected the compromise, which has been produced in writing on October 01, 2016. It not only, bears the signatures of the parties to the instant revision petition but also attested by Rachpal Singh and Narinder Singh. Respondent No.1-Harchand Singh, who is present in Court has categorically admitted the compromise and also submitted that he has no objection in case the instant revision petition is accepted and the judgments of conviction and order of sentence are set aside. However, he has submitted that a liberty be provided to him that in case the cheques which have been issued in pursuance of the compromise are dis-honoured, to initiate the requisite proceedings in that regard.

In the light of the fact that parties have effected the compromise, impugned judgment of conviction and order of sentence dated July 17, 2015 passed by the lower Court and affirmed by the lower Appellate Court are set aside and petitioner stands acquitted. Petitioner shall be released forthwith.

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However, complainant shall be at liberty to have recourse to other remedies available to him in case cheques issued in pursuance of the compromise are dis-honoured.

**CRM No. 31643 of 2016**

The instant application for suspension of sentence is rendered infructuous since the main petition has been allowed.

***October 04, 2016***  
*Ankur*

**(JASPAL SINGH)**  
**JUDGE**

**Whether Speaking/Reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**