

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Criminal Revision No.2843 of 2015 (O & M)

Date of Decision: *January 05, 2016*

Ishan Sharma

..... PETITIONER

VERSUS

Sachin Goyal

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

. . .

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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PRESENT: - Mr. Prashant Bansal, Advocate, for the petitioner.

Mr. Sandeep Sharma, Advocate, for Mr. Sumit Dua, Advocate, for the respondent.

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Jaspal Singh, J

1. Challenge in this revision petition is to order dated July 16, 2015 passed by learned Additional Sessions Judge, Patiala, whereby judgment of conviction and order of sentence dated January 20, 2014 passed by Judicial Magistrate 1st Class, Patiala, convicting and sentencing the petitioner under

Section 138 of Negotiable Instruments Act, 1881 (for short, 'the Act') was upheld.

2. After the dismissal of appeal by learned Additional Sessions Judge, Patiala, vide judgment dated July 16, 2015, the petitioner had compromised the matter with respondent and a compromise deed dated July 28, 2015 was reduced into writing. As per the terms & conditions of compromise deed, respondent has received the entire amount outstanding qua the petitioner. Subsequent thereto, in view of order dated November 28, 2015 passed by this Court, 10% of the check amount i.e. ₹ 70,000/- were also deposited in addition to the amount earlier paid.

3. Today, learned counsel for parties are also present and they have not disputed the aforesaid facts. Rather, it has been submitted by learned counsel for respondent that respondent has no objection in case the revision petition is allowed and judgments/orders passed by both the courts below are set aside.

4. Keeping in view the compromise arrived at amicably between the parties and the statement made by learned counsel for the respondent, referred to above, the revision petition is allowed whereby judgment of conviction and order of

sentence dated January 20, 2014 passed by the learned Magistrate and judgment dated July 16, 2015 passed by the Additional Sessions Judge, Patiala, are set aside. Consequently, petitioner – Ishan Sharma stands acquitted of the charge.

January 05, 2016
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(Jaspal Singh)
Judge