

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**Criminal Misc. No. 8925 of 2015 in/and
Criminal Revision No. 3218 of 2014
Date of decision : February 24, 2016**

Shiv Kumar

....Petitioner

versus

Chandigarh Scheduled Castes, Backward Classes and Minorities Financial
and Development Corporation Ltd., Chandigarh

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Petitioner Shiv Kumar in person
Mr. Gautam Dutt, Advocate, for the respondent

Fateh Deep Singh, J. (Oral)

Learned counsel for the respondent has placed on record authorization letter no. 4700 dated 19.1.2016, authorizing Sh. Kartar Singh, Law Officer, who is present in the Court to finalize the present case.

In pursuance of the settlement arrived at between the parties before the Mediator on 27.1.2016, the first party-Shiv Kumar petitioner has appeared in person and paid cash amounting to Rs 77,306/- to Sh. Kartar Singh, Law Officer, authorized representative of second party-Chandigarh Scheduled Castes, Backward Classes and Minorities Financial and Development Corporation Ltd., Chandigarh, who has received and issued receipt for the same.

Since the final term of this agreement has been given effect to as per the terms of the settlement arrived before the Mediator and keeping in view that Shiv Kumar has been convicted under section 138 of the Negotiable Instruments Act and in view of the law laid down in **G.Sivarajan Vs. Little Flower Kuries & Enterprises Ltd. & Anr., 2005(2 DCR 408 and Ritesh Gupta vs. State of Punjab and another, 2009(3) RCR (Crl.) 61**, the offence being compoundable in nature and having paid the amount in question to the entire satisfaction of the complainant side and in view of the law laid down in **Gian Singh vs State of Punjab and another, 2012 (4) RCR (Criminal) 543 and Kulwinder Singh and others vs State of Punjab and another, 2007(3) RCR (Criminal) 1052**, judgment of conviction dated 2.1.2013 passed by learned Judicial Magistrate Ist Class, Chandigarh as well as judgment passed by learned first appellate court are hereby set aside thereby acquitting the accused-petitioner of the charge.

February 24, 2016
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(Fateh Deep Singh)
Judge