

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision No. 2148 of 2016 (O&M)

Date of decision : August 31, 2016

Firm Roopa Shergil, Punjab through its Proprietor Jagroop Singh

....Petitioner

versus

Joginder Singh

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Prateek Sodhi, Advocate, for the petitioner
Mr. Chetan Bansal, Advocate, for the respondent

Fateh Deep Singh, J. (Oral)

Report of learned Judicial Magistrate Ist Class, Amritsar has been received after recording statements of accused Jagroop Singh as well as complainant Joginder Singh and the learned court has shown its satisfaction that the compromise is an outcome of voluntariness, free will and without any coercion or undue pressure and as per compromise, an amount of Rs 1,05,000/- has been paid by the accused to the complainant

In the light of the stand of the two sides that the parties have effected compromise and do not want to pursue with this litigation and that the same be put to a decent burial in the light of the settled position of 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*, being offence under section 138 of the Negotiable

Instruments Act, being compoundable and thus, in the light of their compromise, the Courts should not come in a way of settlement as the compromise will go a long way in ironing out the differences and betterment of the relations between the parties, in view of which judgment of conviction dated 28.5.2014 passed by learned Judicial Magistrate Ist Class, Amritsar as well as judgment dated 18.5.2016 passed by the learned Additional Sessions Judge, Amritsar are hereby set aside and the revision petition stands disposed off accordingly.

The petitioner is ordered to be released from judicial custody in the present case, if he is no more required in any other case.

August 31, 2016
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No