

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

**CRM No.8850 of 2016 in/and
CRR No.3351 of 2015
Date of Decision: December 20, 2016**

Gian Chand

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. P.S. Sullar, Advocate
for the petitioner.

Mr. Deepak Sabherwal, Addl. A.G. Haryana.

Mr. Raman Sagar, Advocate
for respondent No.2.

FATEH DEEP SINGH, J. (ORAL)

Ravinder Singh/complainant, son of Gian Singh, son of Sardar Kehar Singh, resident of H. No.8, Saraswati Nagar, Ambala City and Gian Chand/petitioner, son of Pritam Singh, son of Phoola Singh, now resident of H.No.137, Durga Nagar, Ambala City, who have been identified by their respective counsel have made statement that they have resolved their dispute amicably. The convict-petitioner has earlier placed on record demand draft No.786939 dated 03.12.2016 drawn on Oriental Bank of Commerce in favour of complainant Ravinder Singh for sum of Rs.3 lacs which the petitioner/convict submits through his counsel be handed over to the complainant to which he has no objection and who has made statement accepting that very amount as full and final settlement of his claim arising out of the cheque in question. The parties have made statements that all civil

and criminal disputes arising out of this cheque in question stands fully and finally settled.

In the light of the stand of the two sides and in view of the ratio laid down in **Damodar S. Prabhu vs. Sayed Bablal, H. (2010) 5 SCC 663** offence under Section 138 Negotiable Instrument Act being compoundable, the judgment of conviction dated 12.09.2014 passed by Judicial Magistrate 1st Class Ambala and dated 1.7.15 of Ld. Sessions Judge are hereby set aside by way of acceptance of present petition.

Office is directed to hand over the demand draft placed on record to the complainant/Ravinder Singh on due identification as per rule and photostat copy of the same is placed on the file.

The petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

December 20, 2016
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No