

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

**CRM No.12269 of 2016 in/and  
CRR No.3438 of 2015  
Date of Decision: May 05, 2016**

**Om Parkash Yadav**

**.... Petitioner**

**vs.**

**M/s. Suraj Fabricator and Engineers**

**.... Respondent**

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

**Present:** Mr. Adarsh Jain, Advocate for the applicant-petitioner.

Mr. Vaibhav Prashar, Advocate for the respondent.

- 1. Whether Reporters of Local Newspapers 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?*

**Kuldip Singh J.(Oral)**

**CRM-12269 of 2016**

This is an application for restoration of main revision i.e. CRR No.3438 of 2015, which was dismissed as infructuous on 01.03.2016.

Respondent has appeared and has no objection if the original revision is heard and decided on merits.

Therefore, the main revision i.e. CRR No.3438 of 2015 is restored to its original number and is ordered to be taken on Board today for hearing.

The application stands disposed of.

**CRR No.3438 of 2015**

Before this Court, the petitioner-accused has handed over the original demand draft No.913668, dated 16.03.2016, amounting to ₹96,000/- to the learned counsel for the complainant-respondent, which has been accepted by him.

Learned counsel for the complainant-respondent states that his claim has been satisfied and that he has compromised the matter with the accused-petitioner and has no objection if the judgments of both the courts below are set aside.

It comes out that the petitioner was convicted and sentenced by the learned Judicial Magistrate 1<sup>st</sup> Class, Faridabad for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for one year and to pay a compensation of ₹96,000/- vide judgment of conviction dated 01.04.2014 and order of sentence dated 05.04.2014.

The appeal filed by the accused-petitioner was dismissed by the learned Sessions Judge, Faridabad, vide judgment dated 21.05.2015.

Since the matter has been amicably settled and parties have compromised, therefore, on account of the compromise, the judgment dated 21.05.2015 passed by learned Sessions Judge, Faridabad and the judgment of conviction dated 01.04.2014 and order of sentence dated 05.04.2014 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Faridabad are set aside and the petitioner-accused stands acquitted of the charges framed against him. He be released forthwith, if not required in any other case.

In view of above, the present revision petition stands allowed.

**(KULDIP SINGH)**  
**JUDGE**

**May 05, 2016**

**sarita**