

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

Sr. No.229

**CRR NO. 3949 of 2014 (O&M)**  
**DECIDED ON: September 09, 2016**

**JASBIR SINGH**

**..PETITIONER**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**...RESPONDENTS**

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

Present: Mr. Mukesh Kumar Bhatnagar, Advocate, for the petitioner.

Mr. B.S. Cheema, DAG, Punjab.

Mr. Rajiv Joshi, Advocate, for respondent No.2-complainant-Bank.

\*\*\*\*\*

**JASPAL SINGH, J. (ORAL)**

Challenge in this revision petition to the order dated July 19, 2012, passed by Additional Sessions Judge, Amritsar, whereby an appeal against the order dated October 30, 2009 passed by learned Magistrate in a complaint case captioned as “*Bank of Baroda Vs. Jasbir Singh*”, whereby he was convicted and sentenced under Section 138 of Negotiable Instruments Act (for short 'Act) was dismissed.

During the pendency of the instant petition, the petitioner moved an application bearing CRM No.24948 of 2016 seeking permission to compound the offence on the ground that the parties have arrived at an amicable settlement outside the Court and the dispute in between the parties stood finally settled. Since, the offence under Section 138 of the Act is compoundable. The necessary permission is granted.

**CRR NO. 3949 of 2014 (O&M)**

Today, when the matter was listed for hearing, Mr. Rajiv Joshi, Advocate for the complainant-Bank has furnished a short affidavit of Mr. Sarabjit Singh, working as Chief Manager who is constituted attorney holder, Bank of Baroda, presently posted at Partap Nagar Branch, Amritsar, which is taken on record subject to all just exceptions.

A glance at the aforesaid short affidavit transpires that the petitioner has already cleared the loan amount and made the full & final settlement to the complainant-Bank. The complainant-Bank has also no objection, in case, the offence is compounded and the instant petition is accepted.

In view of the full and final settlement between the parties and the contents of the short affidavit furnished by learned counsel for the complainant-Bank, instant petition is allowed. Consequently, the judgment of conviction dated October 30, 2009 passed by Special Judicial Magistrate, Amritsar as well as judgment dated July 19, 2012 passed by the learned Additional Sessions Judge, Amritsar are set aside. Resultantly, the petitioner is acquitted of the charges.

***September 09, 2016***  
*Ankur*

**(JASPAL SINGH)**  
**JUDGE**

**Whether Speaking/Reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**