

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-2919-2016 (O&M)

Date of decision:- December 07, 2016

SMT. RAJ BALA

..PETITIONER...

VERSUS

SAT PAUL

...RESPONDENT...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Raman Mohinder Sharma, Advocate,
for the petitioner.

Mr. Gaurav Mannan, Advocate,
for the respondent.

JASPAL SINGH, J.

By virtue of instant petition, the petitioner has challenged the judgement of conviction and order of sentence dated 19.04.2016 passed by Judicial Magistrate, Ist Class, Dhuri, which has been affirmed by Id. Additional Sessions Judge, Sangrur vide judgement dated 15.07.2016, whereby criminal appeal preferred by the petitioner was dismissed.

2. Feeling aggrieved, the petitioner has preferred the instant criminal revision petition.

3. During the pendency of instant petition, a compromise has been arrived in between the parties, which has since been reduced into writing on 04.08.2016. In terms and conditions of the compromise, the petitioner has

already satisfied the claim of the respondent-complainant and this fact has

been admitted by learned counsel for respondent No.2-complainant. As per the terms and conditions of the compromise, the second party i.e. complainant has no objection, in case, the instant petition is allowed/accepted and the petitioner is acquitted of the charge.

4. Here, it would be pertinent to mention that the petitioner has deposited 15% of the cheque amount before the Punjab State Legal Services Authority in view of the judgment of Hon'ble Apex Court delivered in "*Damodar S. Prabhu v. Sayed Babalal*"; (2010) 5 (SCC) 663 to the tune of ₹19,500/- vide receipt dated 17.11.2016. Otherwise also, the compromise arrived at would bring harmony between the parties and would also put an end to the ill-will existing between them due to initiation of these proceedings.

5. Keeping in view the factum of compromise as well as the fact that petitioner has already deposited 15% of the cheque amount with the Punjab State Legal Services Authority, the instant petition is accepted whereby the judgement of conviction and order of sentence dated 19.04.2016 passed by Id. Magistrate and affirmed by Id. Additional Sessions Judge vide judgement dated 15.07.2016 are set aside. Consequently, the petitioner stands acquitted of the charges.

December 07, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No