

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR-4507-2015 (O&M)
Date of Decision: February 27, 2016

Arvind Kumar

...Petitioner

Versus

Pardeep Bansal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Siddharth Gupta, Advocate, for the petitioner.

Mr. Varun Garg, Advocate, for respondent No. 1.

Mr. Arun Kumar, AAG, Haryana, for respondent No. 2.

1. *Whether Reporters of local papers 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?*

NARESH KUMAR SANGHI, J. (Oral):

Challenge in this criminal revision petition is to the judgment dated 12.8.2015, passed by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri, whereby the appeal filed by the petitioner challenging his conviction and sentence for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for brevity, 'the N.I. Act'), recorded by learned Judicial Magistrate First Class, Yamuna Nagar at Jagadhri, was dismissed.

During pendency of the criminal revision petition, the private parties to the *lis* have resolved their dispute and effected a compromise.

On 17.2.2016, respondent No. 1/complainant, Pardeep Bansal, did appear before this Court and got recorded his statement on oath, admitting the factum of the compromise. He further deposed that he had no objection if the judgment of conviction and order of sentence passed by both the Courts below were set aside and the petitioner/accused was acquitted of the charge levelled against him.

Learned counsel for the parties are in unison that by virtue of Section 147 of the N.I. Act, the offence punishable under Section 138 of the N.I. Act, is compoundable and while exercising the revisional jurisdiction, this Court can permit the parties to resolve their dispute and effect a compromise.

After hearing learned counsel for the parties, the petitioner, Arvind Kumar, and respondent No. 1/complainant, Pardeep Bansal, are permitted to resolve their dispute and effect a compromise.

It is settled law that if the offence is compoundable and the Court while exercising the revisional jurisdiction permit the parties to resolve the dispute, then the net result would be to

acquit the accused.

In view of the fact that the offence punishable under Section 138 of the N.I. Act is compoundable and this Court has permitted the private parties to the *lis* to resolve their dispute, therefore, the present criminal revision petition is allowed and the judgments passed by both the Courts below are set aside and the petitioner is acquitted of the charge levelled against him.

(NARESH KUMAR SANGHI)
JUDGE

February 27, 2016
Pkapoor