

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

CRR No. 3715 of 2016 (O&M)  
Date of decision: 07.10.2016

Jagdev Industries and another

...Petitioners

Versus

M/s Roshan Kumar Shanti Kumar Jain

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

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**Jitendra Chauhan, J. (Oral)**

**CRM-31904-2016**

Notice re: delay.

At this stage, Mr. Sandeep Sharma, Advocate appears and accepts notice on behalf of the respondent. He states that he has no objection if the present application is allowed.

Heard.

Keeping in view the averments made in the application, the same is allowed. The delay of 232 days in filing the present revision is hereby condoned.

**Main Case**

By filing the present criminal revision, the petitioner has

assailed the judgment dated 18.11.2015, vide which, learned Addl. Sessions Judge, Sangrur, upheld the judgment dated 20.08.2014, passed by learned Judicial Magistrate 1<sup>st</sup> Class, Malerkotla, whereby, the petitioner was convicted under Section 138 of Negotiable Instruments Act (for short 'the Act') and sentenced to undergo RI for a period of one year and to pay fine of Rs. 5000/- and in default of payment of fine to further undergone RI for a period of one week.

It is contended by learned counsel for the petitioners that the parties have effected the compromise. In terms of the compromise, an amount of Rs.60,000/- i.e. the cheque amount has been paid to the respondent.

Respondent, Shanti Kumar Jain along with his counsel, Mr. Sandeep Sharma, Advocate admits the factum of compromise and states that he has received the entire cheque amount. He has no objection if the present revision petition is allowed and the petitioners are acquitted of the charges levelled against them.

Heard.

In view of the fact that the parties have compromised the matter and the entire cheque amount has been paid to the respondent; the offence is compoundable under Section 147 of the Act, the compounding of the offence is allowed and the present revision is allowed on the basis of the compromise. The judgments of conviction and order of sentence of the appellate court as well as the

trial Court are set aside. The petitioners are acquitted of the charge on the basis of compromise. The petitioners are stated to be in custody, they be released forthwith if not required in any other case.

07.10.2016  
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**(JITENDRA CHAUHAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |