

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

CRR No.3722 of 2016 (O&M)

Date of decision: October 22, 2016

Satya Narain Soni

...Petitioner

Versus

Pradeep Soni

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Vishal Yadav, Advocate
for the respondent.

INDERJIT SINGH, J.

The present revision has been filed by petitioner Satya Narain Soni against respondent Pradeep Soni challenging the impugned judgment of conviction dated 17.09.2014 and order of sentence dated 19.09.2014 passed by learned Judicial Magistrate Ist Class, Rewari vide which the petitioner was convicted and sentenced to undergo simple imprisonment for a period of 1 year and to pay a fine of Rs.5,000/- under Section 138 of Negotiable Instruments Act and also challenging the judgment dated 01.06.2016 passed by learned Sessions Judge, Rewari vide which appeal filed by petitioner was dismissed.

Notice of motion was issued in this case.

Mr. Vishal Yadav, Advocate has put in appearance on behalf of the respondent.

I have heard learned counsel for the parties and have gone

through the record.

Learned counsel for the petitioner states that matter has already been compromised between the parties. He further submits that 15% of the cheque amount has already been deposited with the High Court Legal Services Committee in compliance with order dated 07.10.2016, passed by this Court. He has also produced on record receipt regarding depositing of said amount.

On the other hand, learned counsel for the respondent submits that the matter has been settled fully and finally and he has no objection if the offence in this petition is compounded.

Heard.

In view of the compromise effected between the parties and in view of the fact that offence punishable under Section 138 of Negotiable Instruments Act, is compoundable, therefore, the judgment of conviction dated 17.09.2014 and order of sentence dated 19.09.2014 passed by learned JMIC, Rewari and judgment dated 01.06.2016 passed by learned First Appellate Court, Rewari are set aside in view of the lawful composition of the offence.

The petition is allowed accordingly.

Petitioner/accused Satya Narain Soni is acquitted accordingly in this case.

October 22, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No