

Criminal Revision No.5059 of 2015 (O & M)

Date of Decision: *January 27, 2016*

Akash Sood

..... PETITIONER

VERSUS

Jaspreet Kaur

..... RESPONDENT

CORAM HON'BLE MR. JUSTICE JASPAL SINGH

PRESENT: Mr. Vishal Sharma, Advocate, for the petitioner.

Mr. Aseem Kataria, Advocate, for the respondent.

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1. Whether Reports 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?

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Jaspal Singh, J

1. Challenge in this revision petition is to judgment dated December 8, 2015 passed by learned Additional Sessions Judge, Ludhiana, whereby an appeal preferred by the petitioner was dismissed and judgment of conviction & order of sentence dated February 9, 2015 passed by the Judicial Magistrate 1st Class, Ludhiana were upheld, vide which, the petitioner was convicted under Section 138 of the

Negotiable Instruments Act, 1881 (for short, 'Act') and sentenced to undergo RI for six months.

2. During the pendency of petition, a compromise has been effected between the parties and reduced into writing.

3. Today, the parties are also present. Respondent – complainant, Jaspreet Kaur, has also furnished a fresh affidavit stating that a compromise has been arrived between the parties and she has no objection in case the proceedings against petitioner – Akash Sood are dropped and/or he is acquitted of the charge framed against him under Section 138 of the Act.

4. In view of the compromise arrived at between the parties, this Court is of the considered view that continuation of proceedings would be an abuse of process of court and law. The petition is, accordingly, allowed. Impugned judgment(s)/order(s) passed by the courts below are set aside and the accused – petitioner stands acquitted of the charge framed against him and he is ordered to be released forthwith, subject to deposit of 15% of cheque amount to Legal Services Authority, Punjab, within one month after receipt of this order.

January 27, 2016

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**(Jaspal Singh)
Judge**