

Karnail Singh Vs. Amrik Singh and anr.

Present: Karnail Singh – petitioner in person with
Mr.Kamal Narula, Advocate.

Amrik Singh – respondent No.1 in person with
Mr.Vishwajit Bedi, Advocate.

Ms.Ambika Sood, DAG, Punjab,
for respondent No.2.

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Present revision petition has been filed by the accused/petitioner against the judgment of conviction and the order of sentence dated 18.09.2007 passed by the Court of learned Addl. Chief Judicial Magistrate, Patiala, convicting the petitioner under Section 138 of the Negotiable Instruments Act and sentencing him to undergo rigorous imprisonment for a period of one year and to pay of ₹3,000/- and in default of payment of fine, to further undergo RI for a period of two months, which conviction and sentence was confirmed in appeal by learned Additional Sessions Judge, (Fast Track Court), Patiala, vide judgment dated 19.08.2009. Aggrieved by the judgments of the Courts below, the petitioner has come up in revision.

It has been stated by the parties that the present dispute has been settled, in which regard, statements of the parties have been recorded. It has been stated by respondent No.1 that he has compromised the matter with the petitioner and that he has received an amount of ₹30,000/- (₹ Thirty Thousand Only), in cash, today from the petitioner in full and final settlement of his claim in this case. He has further stated that he has no objection if the judgments of conviction and orders of sentence passed by the Courts below against the petitioner are set aside and the complaint filed

by him under Section 138 of the Negotiable Instruments Act against the petitioner be dismissed as withdrawn. He has further stated that he does not have any document blank, written or signed by the petitioner in his possession and that now the petitioner does not owe him any amount whatsoever in any shape. It has been stated by the petitioner that the matter be disposed of in terms of statement made by respondent No.1. He further states that he will not file any criminal case against respondent No.1 in future regarding this dispute in which they have compromised today.

In view of the statements of the parties, the present revision petition is accepted and the impugned judgments of conviction and sentence passed by the Courts below are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

(R.K.Nehru)
President

01.06.2017
Mehak Huria/P.seth

(B.S.Sidhu)
Member