

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision No. 2566 of 2009

Date of decision : January 19, 2017

Reena Roy

....Petitioner

versus

Babu Ram Garg and another

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr.Raj Kumar Gupta, Advocate, for the petitioner.
Petitioner Reena Roy in person.

Mr. S.S.Virk, Advocate, for respondent No. 1.
Kavita widow/LR of Babu Ram Garg-respondent no. 1

Mr. Nischal Mann, DAG, Haryana, for respondent no. 2

Fateh Deep Singh, J. (Oral)

Kavita widow/LR of Babu Ram Garg respondent no. 1/complainant has made statement that she has voluntarily and on her own effected compromise with petitioner Reena Roy who too has accepted the factum of this compromise. Both the parties have categorically stated that in respect of cheque in question, the complainant had received full and final settlement amount and nothing is due towards the petitioner and both the parties have undertaken that all disputes arising out of the cheque in question between them be it civil or criminal stands settled for all times to come and that the matter before this Court be allowed to be compounded.

In the light of the stand of the two sides based on the instructions of their respective clients that the parties have effected

compromise and do not want to pursue with this litigation and that the same be put to a decent burial in the light of the settled position of law laid down in *G.Sivarajan Vs. Little Flower Kuries & Enterprises Ltd. & Anr., 2005 (2) DCR 408 and Ritesh Gupta vs. State of Punjab and another, 2009(3) RCR (Crl.) 61*, being offence under section 138 of the Negotiable Instruments Act, being compoundable and thus, in the light of their compromise, the Courts should not come in a way of settlement as the compromise will go a long way in ironing out the differences and betterment of the relations between the parties, in view of which judgment of conviction dated 23.5.2009 passed by learned Additional Chief Judicial Magistrate, Panipat as well as judgment dated 18.9.2009 passed by the learned Additional Sessions Judge, Panipat are hereby set aside and the revision petition stands disposed off accordingly.

January 19, 2017

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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No