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CRR-2658-2009

AVTAR SINGH V/ S BABU SINGH AND ANR.

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Present: Mr. MS Sidhu, Advocate along with
Mr. Avtar Singh, Petitioner-Revisionist.

Mr. LS Sidhu, Advocate for the respondent-complainant.

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Complainant filed a petition under Section 138 of the Negotiable Instruments Act as the cheque issued by the respondent-Avtar Singh was dishonoured for want of sufficient funds. Judicial Magistrate, Mansa after considering the matter, held Sh. Avtar Singh, now the revisionist, guilty and accordingly, convicted him under Section 138 of the Negotiable Instruments Act. He was awarded a simple imprisonment for one year with a further direction to him to pay a sum of Rs.45,000/- i.e. the cheque amount to the complainant as compensation vide order of JMJC dated 17.01.2008. Feeling aggrieved, Avtar Singh challenged this order before the Additional Sessions Judge, Mansa. He did not find any merit in the appeal and consequently, dismissed the same vide order dated August 12, 2009.

The present revision petition was filed by Avtar Singh-Revisionist, which was admitted. During the pendency, the matter has been amicably settled between Avtar Singh and the complainant. Amount as claimed by the respondent-complainant has been paid in full & final settlement of the dues. This fact is admitted by the Counsel representing the respondent-complainant.

In view of the statements of the revisionist and the counsel representing the respondent-complainant, the matter having been amicably settled, the order passed by the Courts below is set aside and the revision is accepted.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

August 03, 2017

Naina Rajput