

CRR No.2239 of 2014

Vijay Kumar Vs. State of Punjab and anr.

Present: Mr.Jasbir Rattan, Advocate,
for the petitioner.

Ms.Ambika Sood, DAG, Punjab,
for respondent No.1.

Mr.Prashant Bansal, Advocate,
for respondent No.2.

* * * *

Present revision petition has been filed by the accused/petitioner against the judgment of conviction and the order of sentence dated 03.04.2014 passed by the Court of learned Judicial Magistrate Ist Class, Patiala, convicting the petitioner under Section 138 of the Negotiable Instruments Act and sentencing him to undergo rigorous imprisonment for a period of nine months and compensation equivalent to the cheque amount, which conviction and sentence was confirmed in appeal by learned Additional Sessions Judge, Patiala, vide judgment dated 22.05.2014. Aggrieved by the judgments of the Courts below, the petitioner has come up in revision.

It has been stated by learned counsel for respondent No.2 that dispute has since been settled between the petitioner and respondent No.2 and that claim of respondent No.2 has since been settled. He has further stated that respondent No.2 is having no objection if the present petition is accepted and impugned orders passed by Judicial Magistrate Ist Class, Patiala dated 03.04.2014 and judgment passed by Addl. Sessions Judge, Patiala, dated 22.05.2014 are set aside by accepting the present petition and petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act. It has been stated by learned counsel for the petitioner that

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dispute between petitioner and respondent No.2 has since been compromised and that the petitioner has settled entire claim of respondent No.2 and that hence, the present petition be accepted and the impugned judgments passed by Judicial Magistrate Ist Class, Patiala and Addl. Sessions Judge, Patiala be set aside and the petitioner be acquitted of the offence under Section 138 of the Negotiable Instruments Act.

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

09.05.2017

Nisha-II

(Ram Chand Gupta)
Member