

Madan Lal Vs. State of Punjab and anr.

Present: Madan Lal – petitioner in person.

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

Tarsem Kumar – respondent No.2 in person.

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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 09.07.2012 passed by the Court of learned Judicial Magistrate Ist Class, Abohar, convicting the petitioner under Section 138 of the Negotiable Instruments Act and sentencing him to undergo rigorous imprisonment for one year and to pay fine of ₹2500/- and in default of payment of fine, he shall further undergo simple imprisonment for 30 days, which conviction and sentence was confirmed in appeal by learned Additional Sessions Judge, Fazilka, vide judgment dated 09.09.2014. 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 the petitioner that he has compromised with the respondent and that he has satisfied the claim of the respondent/complainant and that hence, in view of compromise, his petition be accepted and the impugned orders passed by learned Judicial Magistrate Ist Class, Abohar and learned Additional Sessions Judge, Fazilka be set aside and he be acquitted. It has been stated by respondent No.2 that he has compromised

the matter with the petitioner and that he has received amount of the cheque

as per settlement. He has further stated that his claim has been fully satisfied and that he has no objection if the present petition filed by the petitioner is accepted and the impugned orders passed by learned Judicial Magistrate Ist Class, Abohar and learned Additional Sessions Judge, Fazilka are set aside and the petitioner is acquitted.

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

(Ram Chand Gupta)
Member

08.04.2017
P.Seth