IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No.4861 of 2015 (O&M)
Date of decision: October 11, 2017

Lalit Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. J.S.Dadwal, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Mr. Rajeev Sharma, Advocate
for respondent No.2.

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INDERJIT SINGH, J.

The present revision has been filed by petitioner-Lalit Kumar against respondents-State of Punjab and another, challenging the impugned judgment of conviction and order of sentence dated 22.05.2013, passed by learned Judicial Magistrate Ist Class, Ludhiana, vide which petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of one year under Section 138 of Negotiable Instruments Act and also challenging the judgment dated 09.12.2015, passed by learned Addl. Sessions Judge, Ludhiana, vide which appeal filed by petitioner was dismissed.

Notice of motion was issued in this case.

Mr. K.S.Aulakh, DAG, Punjab has put in appearance on behalf of the respondent-State and Mr. Rajeev Sharma, Advocate has put in appearance on behalf of respondent No2.

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I have heard learned counsel for the parties as well as ld. State counsel and have gone through the record.

Learned counsel for the petitioner states that matter has already been compromised between the parties. He further submits that 15% of the cheque amount has already been deposited with the High Court Legal Services Committee in compliance with order passed by this Court. He has also produced on record copy of receipt regarding depositing of said amount. Same is taken on record.

On the other hand, learned counsel for respondent No.2 submits that the matter has been settled fully and finally and he has no objection if the offence in this petition is compounded.

Heard.

In view of the compromise effected between the parties and in view of the fact that offence punishable under Section 138 of Negotiable Instruments Act, is compoundable, the judgment of conviction and order of sentence dated 22.05.2013 passed by learned JMIC, Ludhiana, and judgment dated 09.12.2015, passed by learned First Appellate Court, Ludhiana, are set aside in view of the lawful composition of the offence.

The petition is allowed accordingly and petitioner is acquitted of the charge framed against him.

October 11, 2017 **(INDERJIT SINGH)**
rajesh k.khurana **JUDGE**

Whether speaking/reasoned : Yes
Whether Reportable : No

Rajesh Kumar
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