

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRR No. 4049 of 2016 (O&M)
DATE OF DECISION :- October 11, 2017**

Inderjit Singh

...Petitioner

Versus

Navjot Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Barjesh Kumar Sharma, Advocate for the petitioner.

Mr. Puneet Pali, Advocate
for Mr. Tanveer, Advocate for respondent no.1.

On a complaint under Section 138 of the Negotiable Instruments Act, having been filed by complainant Navjot Singh against Inderjit Singh-accused, Judicial Magistrate Ist Class, Malerkotla vide order dated 5.7.2016 convicted Inderjit Singh for such offence and sentenced him to undergo rigorous imprisonment for two years and to pay a sum of ₹14 lacs i.e double of the cheque amount to the complainant as compensation.

Feeling aggrieved by the said judgment, accused had filed appeal which was dismissed by Additional Sessions Judge, Sangrur vide judgment dated 25.10.2016. The petitioner-accused has filed Revision Petition before this Court, notice of which was given to the complainant. The Revision Petition has been admitted. During the pendency of Revision Petition, the parties have compromised the matter. An application under

Section 320 Cr.P.C. read with Section 147 of the Negotiable Instruments Act for permission to compound the offence has been filed. The complainant has admitted the factum of settlement between the parties. Learned counsel representing him made a statement in the Court on 4.8.2017 that as per settlement, the revision petitioner has paid a sum of ₹14 lacs to the complainant as full and final settlement. The revision petitioner has also deposited 15% of the cheque amount as compensation fee in view of ratio of the apex Court in ***Damodar S. Prabhu versus Sayed Babalal 2010(2) R.C.R.(Criminal) 851***. Under Section 320(6) of the Criminal Procedure Code, this Court can allow compounding of offence at the stage of Revision also. Therefore, the application for permission to compound the offences is accepted. The parties are allowed to compound the offences. Resultantly, the judgments of conviction and sentence passed by the Courts below are set aside and petitioner is acquitted of the charge framed against him.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

October 11, 2017

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No