

Munni Lal Vs. Gaurav Jindal

Present: Mr.Ravi K. Mattoo, Advocate,
for the petitioner.

Ms.Monika Jangra, Advocate,
for the respondent.

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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 12.01.2016 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 six months and compensation equivalent to half of the cheque amount, which conviction and sentence was confirmed in appeal by learned Additional Sessions Judge, Patiala, vide judgment dated 15.12.2016. Aggrieved by the judgments of the Courts below, the petitioner has come up in revision.

It has been stated by learned counsel for the parties that the present dispute has been settled between the parties, in which regard, statements of learned counsel for the parties have been recorded. It has been stated by learned counsel for the petitioner that as per Compromise Deed, Annexure P-1, claim of the respondent-complainant has been satisfied and that hence, the petition filed by the petitioner be accepted and that the impugned orders passed by the learned Judicial Magistrate 1st Class, Patiala dated 12.01.2016 and learned Additional Sessions Judge, Patiala, dated 15.12.2016 be set aside and the petitioner be acquitted. It has been stated by learned counsel for the respondent that as per compromise, claim

of the respondent has since been satisfied and that hence, the respondent has no objection if the present petition is accepted and that the impugned judgment passed by learned Judicial Magistrate 1st Class, Patiala dated 12.01.2016 and judgment dated 15.12.2016 passed by learned Additional Sessions Judge, Patiala are set aside and the petitioner is acquitted.

In view of the statements of learned counsel for 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