

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

**CRL. REVISION No.1310 OF 2017 (O&M)  
DATE OF DECISION : 28<sup>th</sup> APRIL, 2017**

**Nishan Singh**

**.... Petitioner**

**Versus**

**Chand Kumar Setia**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI**

\* \* \* \*

Present : Mr. Lal Singh Sandhu, Advocate for the petitioner.

Ms. Ekta Rani, Advocate for the respondent.

\* \* \* \*

**A. B. CHAUDHARI, J. (ORAL)**

**CRM-13822-2017**

The application is allowed and Annexure A-1 is taken on record, subject to all just exceptions.

**CRL. REVISION No.1310 OF 2017**

Ms. Ekta Rani, Advocate, put in appearance on behalf of the complainant and filed her power of attorney, which is taken on record.

Rule heard forthwith with consent of learned counsel for the parties.

This Court on 07.04.2017 had recorded the following order:

“Counsel for the petitioner inter alia contends that the petitioner made a statement before the trial court that dispute has been settled by way of compromise on payment of Rs. 3 lakhs and the same was agreed to be paid by 11.7.2016 but as the petitioner failed to comply with the said

settlement, he has been convicted and sentenced. It is further submitted that the petitioner is ready to comply with the terms and conditions of the compromise and the respondent/complainant may be called upon to examine possibility of an amicable settlement.

Notice of motion for 28.4.2017 limited to the extent of exploring possibility of an amicable settlement between the parties.

A copy of the order be appended with the notice.”

Pursuant to the said order counsel for the petitioner as well as the counsel for the complainant make a joint statement that now the entire amount in question has been paid over to the complainant and complainant has no grievance.

Essentially the dispute related to the bouncing of cheque and non-payment of money to the complainant. The compromise has been placed on record as Annexure A-1. The same is seen.

Looking to the fact that the parties have settled the matter amongst themselves by way of compromise and the complainant is satisfied with the amount received by him, I do not think that any further purpose will be served in continuing with the prosecution.

In that view of the matter, I make the following order:

**ORDER**

- (i) The CRL. REVISION No.1310 OF 2017 is allowed.

- (ii) The judgment dated 15.03.2017 passed by learned Additional Sessions Judge, Fazilka and order 11.07.2016 passed by learned Judicial Magistrate Ist Class, Abohar, under challenge in this revision petition, are quashed and set aside by way of compounding/compromise exercising the power under Section 482 Cr.P.C.

**28<sup>TH</sup> APRIL, 2017**  
'raj'

**(A. B. CHAUDHARI)**  
**JUDGE**

|                            |     |     |
|----------------------------|-----|-----|
| Whether speaking/reasoned: | Yes | No  |
| Whether Reportable:        | Yes | No. |