

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

CRR No.190 OF 2017 (O&M)
DATE OF DECISION : 6th FEBRUARY, 2017

Hemant Kumar

.... Petitioner

Versus

Ram Kumar Nain

.... Respondent

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

* * * *

Present : Mr. Anish Garg, Advocate for the petitioner.

Mr. Satish Garg, Advocate for the respondent.

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A. B. CHAUDHARI, J. (ORAL)

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

Learned counsel for the complainant appears before this court with the complainant-Ram Kumar Nain and identifies him. He makes statement on instruction that the entire amount of ₹3,00,000/- has been received by the complainant and has no grievance any more.

Learned counsel for the petitioner submits that the petitioner is in jail since 10.01.2017 as a result of dismissal of the revision petition by the Revisional Court. He further submits that he has paid the entire amount of ₹3,00,000/-, therefore, the petitioner may be released from the jail.

Learned counsel for the complainant states that since the complainant has received the entire amount, he has no grievance if the impugned judgment of conviction is quashed and set aside by way of compounding/compromise.

I have seen the record. Undoubtedly, the conviction recorded against the petitioner was for non-payment of cheque amount. Now since the amount of the cheque has been paid over to the complainant and he has no grievance whatsoever, there is no point in keeping the judgment of conviction on record for which there is a consent given by learned counsel for the complainant on instructions from the complainant. In view of the above, I make the following order:

ORDER

- (i) Rules is made absolute.
- (ii) Impugned judgment dated 22.01.2015 passed by Sub-Divisional Judicial Magistrate, Narwana and judgment dated 10.01.2017 passed by Additional Sessions Judge, Jind are set aside in the light of compounding/compromise exercising the power under Section 482 Cr.P.C.
- (iii) Disposed of accordingly.
- (iv) The petitioner be set at liberty forthwith, if not required in any other case(s).

6th February, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No