

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

Date of decision: 05.06.2017

CRR No.2093 of 2017 (O&M)

Joginder Singh

...Petitioner

Vs.

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ajeet Pal Singh Pakka, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

This is a revision petition arising out of judgment dated May 5, 2017 passed by the learned Additional Sessions Judge, Bathinda, whereby conviction recorded by the trial Court was upheld.

Along with the instant revision petition, CRM No.18943 of 2017 is filed under Section 320 Cr.P.C. read with Section 147 of the Negotiable Instruments Act, 1881 for compounding of the offence in view of the compromise effected between the petitioner and respondent No.2.

Notice of motion.

On the asking of Court, Mr. Ajaib Singh, Addl. AG, Punjab, accepts notice on behalf of State of Punjab, while Mr. Jimmy Singla, Advocate, who is present in Court, accepts notice on behalf of respondent No.2. Respondent No.2 – Hardev Singh son of Maghar Singh, who is also present in Court and identified by Mr. Jimmy Singla, admitted the factum of

compromise. In this regard, affidavit of respondent No.2 - Hardev Singh is annexed as Annexure P-1.

Since the matter stands compromised between the parties, impugned judgment dated May 5, 2017 passed by the learned Additional Sessions Judge, Bathinda vide which conviction and sentence of the petitioner was upheld stands quashed. The petitioner shall be set at liberty forthwith, if not required in any other case.

Accordingly, the revision petition as well as miscellaneous applications stand allowed subject to deposit of 15% of the cheque amount as per ratio laid down in Damodar S. Prabhu Vs. Sayed Babalal, AIR 2010 SC 1097 to State Legal Services Authority, Punjab, failing which this order will be of no consequence. Necessary consequences to follow.

05.06.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>