

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

CRR No.3116 of 2017 (O&M)
Date of decision: 3rd November, 2017

Iqroop Singh Sekhon

... Petitioner

Versus

Narinder Anmol Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sangram S. Saron, Advocate for the petitioner.

Mr. Teevar Sharma, Advocate for the respondent.

FATEH DEEP SINGH, J.

Heard both the sides on the plea of compounding of offence under Section 138 of Negotiable Instruments Act, 1881.

Narinder Anmol Singh respondent/complainant who is present and has been identified by his counsel Mr. Teevar Sharma, Advocate has made statement that since the entire cheque amount and dues, if any, stands duly paid to him by the accused side and he has no grouse regarding his dues and learned counsel for both sides have made statement before this Court that since parties have resolved their dispute mutually, the offence for which petitioner has been convicted, be allowed to be compounded.

In the light of provisions of Section 147 of the Negotiable Instruments Act, 1881 and in view of the ratio laid down in '**Damodar S. Prabhu v. Sayed Babalal H'** 2010(5) SCC 663, since the parties have

effected a compromise and the offence being compoundable, the judgment of learned Judicial Magistrate 1st Class, Chandigarh dated 28.09.2016 which has merged in judgment dated 17.08.2017 of the Court of learned Additional Sessions Judge, Chandigarh whereby the petitioner has been convicted under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for two years and to pay compensation under Section 357(3) Cr.P.C. of Rs.15.00 lacs to the respondent and in default whereof to further undergo RI for two months, is hereby set aside and offence is ordered to be compounded.

The revision petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

November 3, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No