

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

CRR No.332 of 2017 (O&M)

Date of decision: November 8, 2017

Rakesh Kumar Verma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vaibhav Narang, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Mr. Sukhmeet Singh, Advocate
for respondent No.2.

INDERJIT SINGH, J.

The present revision has been filed by petitioner-Rakesh Kumar Verma against the respondents, challenging the impugned judgment of conviction and order of sentence dated 03.11.2011, passed by learned Judicial Magistrate Ist Class, Ludhiana, vide which petitioner-Rakesh Kumar Verma, was convicted and sentenced to undergo rigorous imprisonment for a period of two years under Section 138 of Negotiable Instruments Act and also challenging the judgment dated 25.11.2014, passed by learned Addl. Sessions Judge, Ludhiana, vide which appeal filed by petitioner was dismissed.

Notice of motion was issued in this case.

Mr. K.S.Aulakh, Deputy Advocate General, Punjab, has put in appearance on behalf of the respondent-State and Mr. Sukhmeet Singh, Advocate has put in appearance on behalf of respondent No.2/complainant.

I have heard learned counsel for the parties and have gone through the record.

Learned counsel for the petitioner states that matter has already been compromised between the parties. He further submits that 15% of the cheque amount has already been deposited with the Punjab State Legal Services Authority in compliance with order passed by this Court. He has also produced on record receipt regarding depositing of said amount. Same is taken on record.

On the other hand, learned counsel for respondent No.2 submits that the matter has been settled fully and finally and he has no objection if the offence in this petition is compounded.

Heard.

In view of the compromise effected between the parties and in view of the fact that offence punishable under Section 138 of Negotiable Instruments Act, is compoundable, therefore, the judgment of conviction dated order of sentence dated 03.11.2011 passed by learned JMIC, Ludhiana, and judgment dated 25.11.2014, passed by learned First Appellate Court, Ludhiana, are set aside in view of the lawful composition of the offence.

The petition is allowed accordingly and petitioner is acquitted of the charge framed against him.

November 8, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No