

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

CRR No.506 of 2017 (O&M)

Date of decision: 21.02.2017

Suresh Kumar

...Petitioner

Versus

M/s Yashik Finance Company

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ankit Kaushal, Advocate for the petitioner.

Respondent-Pawan Aggarwal, proprietor, in person
Mr. Sanjay Jain, Advocate

Jitendra Chauhan, J. (Oral)

CRM-4549-2017

Heard.

Keeping in view the averments made in the application, the same is allowed. The delay of 5 days in filing the present petition is hereby condoned.

Main Case

This petition is directed against the judgment and order of sentence dated 04.08.2015 passed by learned Judicial Magistrate 1st Class, Ambala and order of sentence dated 05.11.2016 passed by learned Sessions Judge, Ambala, whereby the petitioner has been sentenced to undergo one year of simple imprisonment along with the payment of cheque amount

i.e.Rs.5,30,000/- plus interest @ 9% per annum.

Notice of motion.

Mr. Sanjay Jain, Advocate accepts notice on behalf of the respondent.

The learned counsel for the petitioner refers to compromise (Annexure P-1) effected between the parties, which is duly admitted by the respondent.

Heard.

In this case, the entire disputed amount has been paid to the respondent, which is duly supported by Annexure P-1. Mr. Sanjay Jain, Advocate, counsel for the respondent, on instructions, admits that the amount in question has been received and the respondent has no objection if this revision is allowed.

In view of the above, this Court feels that no purpose will be achieved in keeping the proceedings alive. Accordingly, the present revision is allowed on the basis of the compromise and the judgments of conviction and order of sentence of the appellate court as well as the trial Court are set aside. The petitioner is acquitted of the charge on the basis of compromise.

21.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No