

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

CRR No.741 OF 2017 (O&M)
DATE OF DECISION : 2ND MARCH, 2017

Vinod Kumar

.... Petitioner

Versus

M/s. Haryana Oil Syndicate, & another

.... Respondents

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

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Present : Mr. Vijay K. Jindal, Advocate for the petitioner.
 Mr. M. K. Singla, Advocate for respondent No.1.

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A. B. CHAUDHARI, J. (ORAL)

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

Heard learned counsel for the rival parties.

The petitioner was convicted in the cheque bouncing case
and sentenced to undergo RI for 1 year and the said judgment and order
of conviction was confirmed by the Appellate Court with further addition
of compensation equal to the cheque amount. Against the said order this
revision petition has been filed by the petitioner who was convicted.

Learned counsel for the petitioner as well as the complainant
are present before this Court and they make a joint statement that both
the contesting parties have now arrived at compromise and the
complainant is satisfied with the amount as received from the petitioner
and would not like to go ahead with the present prosecution.

In that view of the matter, the counsel for the parties prayed
for setting aside of the judgment and order in question. In my opinion,
since the parties have arrived at compromise and the amount under the

cheque was not a very big amount, it would not be legal and proper to continue with the prosecution. Particularly when, the cases under Section 138, are meant to recover the money rather than sentence the persons dishonouring the cheque. In the result I make the following order:

ORDER

- (i) The CRR No.741 OF 2017 is allowed in part.
- (ii) The impugned orders dated 08.07.2013/11.07.2013 passed by the learned Judicial Magistrate, are quashed and set aside, by way of compromise/compounding.

2nd MARCH, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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