

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

CRR No.84 of 2017 (O&M)

Date of decision: 07.04.2017

Harjeet Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. K.S.Aulakh, AAG, Punjab.

Mr. Balwinder Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

The present revision has been filed by petitioner-Harjeet Kaur against respondents-State of Punjab and Amandeep Singh, challenging the impugned judgment of conviction and order of sentence dated 16.07.2016 passed by learned Judicial Magistrate Ist Class, Dhuri, vide which petitioner-Harjeet Kaur, was convicted and sentenced to undergo rigorous imprisonment for a period of one year under Section 138 of Negotiable Instruments Act and to pay a fine of Rs.1,000/- and also challenging the judgment dated 20.12.2016, passed by learned Addl. Sessions Judge, Sangrur, vide which appeal filed by petitioner was dismissed.

Notice of motion was issued in this case.

Mr. K.S.Aulakh, Asstt. Advocate General, Punjab has put in appearance on behalf of the respondent-State and respondent No.2 also put

in appearance through his counsel.

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 High Court Legal Services Committee 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 the respondent 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 and order of sentence dated 16.07.2016 passed by learned JMIC, Dhuri, and judgment dated 20.12.2016 passed by learned First Appellate Court, Sangrur, 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 and he be set at liberty, if his custody is not required in connection with any other case.

07.04.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No