

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

CRL. REVISION No.4053 OF 2016 (O&M)
DATE OF DECISION : 18th MARCH, 2017

Des Raj

.... Petitioner

Versus

Varinder Pal Singh

.... Respondent

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

* * * *

Present : Mr. Narender Pal Bhardwaj, Advocate
for the applicant-petitioner.

Mr. Varinder Pal Singh, Complainant – in person.

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A. B. CHAUDHARI, J. (ORAL)

CRM-9480-2017

The application is allowed and the compromise dated 15.03.2017 (Annexure A-1) taken on record, subject to all just exceptions.

In view of the fact that there is a compromise between the parties the main petition, which is admitted, is taken up for hearing today itself with consent of both the parties.

CRL. REVISION No.4053 OF 2016

Heard learned counsel for the petitioner and the complainant in person.

Rule heard forthwith with consent of both the parties.

This is the revision petition filed by the petitioner against judgment and order recorded by the Courts below by which the petitioner stood convicted for offence punishable under Section 138 of the Negotiable Instruments Act, in respect of cheque of ₹95,000/-.

At the stage of revision, counsel for the petitioner made statement that now a compromise has been arrived at between the parties

and the complainant Mr. Varinder Pal Singh, who is present before this Court today identified by counsel for the petitioner, would be satisfied if the amount of ₹70,000/- is paid to him in place of ₹95,000/- the amount of cheque.

I have made enquiry from Mr. Varinder Pal Singh, who admits that a compromise has in fact been arrived at and he would accept the amount of ₹70,000/- towards full and final settlement in respect of the case in question.

Pursuant to the order dated 15.02.2017 passed by this Court, counsel for the petitioner submits that he has deposited the amount of ₹70,000/- for being paid to Mr. Varinder Pal Singh. The amount shall be paid to the complainant by the Registry forthwith. Since the parties have compounded/compromised the subject matter of the criminal case the following order is inevitable:

ORDER

- (i) CRL. REVISION No.4053 OF 2016 is partly allowed.
- (ii) Impugned judgment and order of conviction of the petitioner for offence punishable under Section 138 Negotiable Instruments Act, are quashed and set aside by way of compounding/compromise.
- (ii) The amount deposited by the petitioner with the Registry shall be handed over to Mr. Varinder Pal Singh-complainant, forthwith.

Disposed of accordingly.

18th March, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned : *Yes* *No*

Whether Reportable : *Yes* *No*