

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

NATIONAL LOK ADALAT

Judge- Lok Adalat : Hon'ble Smt. Justice Rajani Dubey

Memeber : Lok Adalat : Shri V.V.S.Murthy, Sr. Advocate

CRR No. 231 of 2017

- Manmeet Singh Saluja S/o Yashwang Singh Aged About 20 Years R/o Basna, Police Station And District Mahasamund, Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- Smt. Kailash Devidied Through Lrs W/o Late Ram Kishan Aged About 40 Years Legal Representative Sanjeev Kumar Sharma S/o Late Ramkishan Sharma, R/o M D-1, Deepka Colony Police Station Deepka, District Korba, Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri H.S. Alhuwalia, Advocat
Shri Arvind Gohil, Advocate

AWARD

(Passed on 14th July 218)

1. The instant revision is filed against the order dated 22/11/16 passed in Criminal Appeal No.09/2014 by the Additional Session Judge to the court of Additional Judge Katghora, District- Korba whereby the conviction has been maintained and appeal was dismissed.
2. Vide Judgement dated 19/02/14 passed by the Judicial Magistrate First Class, Katghora District – Korba in complaint case No. 342/2011, the applicant has been convicted under Section 138 of Negotiable Instruments Act and sentenced to undergo 1 year simple imprisonment and to pay compensation under Section 357 (3) CRPC compensation of Rs. 5,75000/- payable to the complainant. In Criminal appeal No. 9/2014 the Additional Session Judge Katghora, District- Korba has confirmed the order dated 19/02/2014 in Criminal appeal No. 9/2014 and being aggrieved the appellant has preferred the instant revision.

3. Complainant/ respondent Shri Sanjeev Kumar Sharma legal representative of complainant Late Smt. Kiran Devi is present in person before the Lok Adalat and he has been identified by Shri Arvind Gohil appearing for the applicant who also appeared for the complainant in Trial Court.

4. Appellant Manjeet Singh is also present in person with his Advocate Shri H.S. Ahluwalia. The complainant and the appellant have jointly agreed for submitting a docket showing their compromise. It is stated that amount of Rs. 5,75,000/- has already been deposited before the Trial Court by the appellant, as per terms of compromise the complainant has right to withdraw this amount. Further the complainant has no objection to the acquittal of the applicant.

5. Appellant/accused and the complainant respondent No.1 have stated that they have entered into the compromise out of their free will and consent without fear and pressure.

6. Since the parties have arrived at the compromise and the offence under Section 138 of the Negotiable Instruments Act is compoundable under Section 147 of the Act, the compromise is allowed. The offence in question is permitted to be compounded. Appellant/accused is acquitted of the charge framed against him. The compensation amount deposited CCD Account of the Trial Court is payable to the complainant.

7. The instant revision is disposed of in the aforesaid terms.

Sd/-

(Rajani Dubey)
Judge-Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-

(V.V.S. Murthy)
Member-Lok Adalat
High Court of Chhattisgarh
Bilaspur