

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

265

CRM-M-46795-2017 (O&M)

Date of Decision: February 20, 2018

Bhupinder Kumar

.....Petitioner(s)

versus

State of Punjab and another

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr.V.P. Singh, Advocate
for the petitioners.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Sudhir Mittal, J. (Oral)

The petitioner seeks setting aside the judgment of conviction and order of sentence dated 25.04.2017 as well as the judgment of the learned appellate Court dated 04.10.2017, whereby the petitioner has been convicted under Section 138 of the Negotiable Instruments Act, and has been sentenced to undergo RI for a period of one year.

2. Learned counsel for the petitioner states that the compromise has been reached between the petitioner through his wife and the complainant and thus, the judgment of conviction and order of sentence may be set aside.

3. Pursuant to the order dated 19.01.2018, receipt of 15 % of the cheque amount, has been filed in Court today and the same is taken on record. Thus, there is no impediment in allowing the composition between the parties on the basis of compromise (Annexure P-3) under Section 147 of the Negotiable Instruments Act, 1881.

4. Accordingly, the petition is allowed. The judgment of conviction and order of sentence dated 25.04.2017 as well as the judgment of the learned appellate Court dated 04.10.2017 are set aside and the petitioner is acquitted.

February 20, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned -	Yes
Whether reportable-	No