

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

225

CRR No.2228 of 2017.

Date of Decision: 15.12.2018.

M/s AST INVESCAP Consultancy and anotherPetitioners.

Versus

M/s Caparo Engineering India LimitedRespondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Sunil K. Nehra, Advocate for the petitioners.

None for the respondent.

Shekher Dhawan, J.

As per order dated 04.07.2018, the matter was amicably settled between the parties and a sum of Rs.37,55,000/- was paid by the petitioners to the respondent and that fact was admitted by learned counsel for the respondent. However, as per the same order, the amount was to be deposited with the Legal Services Authority in terms of judgment of Hon'ble the Apex Court in **Damodar S. Prabhu vs. Sayed Babalal H., 2010(5) SCC 663.**

Learned counsel representing the petitioners contended that the amount has already been deposited with the Registry and the present petition be disposed of being infructuous.

As the process of the law was initiated on the basis of complaint under Section 138 of the Negotiable Instruments Act (for short, 'the Act') and that has been settled as per provisions of Section 147 of the Act, the judgment of conviction dated 16.12.2014 and order of sentence

dated 18.12.2014 passed by learned Judicial Magistrate Ist Class, Gurgaon as well as judgment dated 05.06.2017 passed by learned Additional Sessions Judge, Gurugram, dismissing the appeal against the judgment of conviction dated 16.12.2014 and order of sentence dated 18.12.2014, stand set aside as the matter has been lawfully compounded. The petitioners are acquitted of the charge.

Petition stands disposed of accordingly.

(SHEKHER DHAWAN)
JUDGE

15.12.2018
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No