

CRR-2407 of 2017 (O&M)

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

CRR-2407 of 2017 (O&M)
Date of Decision: 15.10.2018

Ram Niwas Sharma

....Petitioner

Versus

Jagdish Chander

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Madhav Pokhrel, Advocate, for the petitioner.
None for the respondent.

RAMENDRA JAIN, J. (ORAL)

Custody certificate filed in Court today is taken on record.

Through this revision, accused has laid challenge to judgment dated 05.06.2017 of the First Appellate Court, affirming judgment of conviction and order of sentence dated 25.07.2016 of the trial Court, holding guilty and sentencing the petitioner to undergo rigorous imprisonment for a period of one year under Section 138 of the Negotiable Instruments Act (for short the 'Act') and pay compensation under Section 357(3) Cr.P.C. equivalent to the cheque amount.

Through CRM-37564 of 2018 under Section 147 of the Act read with Section 482 Cr.P.C., prayer has been made for compounding the offence of the petitioner.

Learned counsel for the petitioner submits that parties have compromised the matter vide compromise deed dated 03.08.2017 duly signed by respondent-complainant.

CRR-2407 of 2017 (O&M)

On 22.01.2018, learned counsel for respondent-complainant had admitted the factum of compromise.

In compliance of order dated 22.01.2018 petitioner has produced receipt No.156 dated 12.10.2018 qua deposit of ₹90,000/- towards 15% of the cheque amount according to the ratio laid down in ***Damodar S. Prabhu v. Sayed Babalal H., 2010(2) R.C.R.(Criminal) 851.*** The same is taken on record.

In view of above, parties are permitted to compound the offence. Consequently, complaint filed by respondent-complainant under Section 138 of the Act and all consequential proceedings arising therefrom, including that of impugned judgments passed by Courts below are quashed.

Disposed of.

October 15, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No