

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-4465-2017

Date of decision: 15.03.2018

Rajpal Verma

..... Petitioner.

vs.

State of Punjab and another

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Akashdeep Sethi, Advocate, for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

Complainant in person alongwith his counsel.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for setting aside the judgment of conviction dated 29.04.2017, vide which, the petitioner was held guilty of an offence punishable under Section 138 of the Negotiable Instruments Act (for short 'the Act') as well as order of sentence, vide which, he was sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹500/- and in default of payment of fine, to further undergo S.I. for one month as well as judgment dated 03.10.2017 passed by the Additional Sessions Judge, Fazilka, vide which, the appeal filed by the petitioner was dismissed.

Vide order dated 30.11.2017, counsel for respondent No.2-complainant has stated that the parties have compromised the matter for ₹1 lac and the complainant has received the entire settled amount and he has no objection if the revisionist is acquitted of the notice of accusation, served upon him.

In view of the same, the petitioner was directed to deposit 15% of the settled amount before the Legal Services Committee of this Court.

Thereafter, vide order dated 23.02.2018, it was noticed that the petitioner has already deposited 15 % of the settled amount with the Legal Services Committee of this Court, vide receipt dated 29.01.2018 and the parties were directed to appear before the Mediation and Conciliation Centre of this Court.

The Mediator has submitted the report dated 15.03.2018 and per this report, respondent No.2-Dalour Singh (complainant) has stated that he has settled the dispute with petitioner-Rajpal Verma and has received an amount of ₹ One lac as full and final payment from the petitioner and has no objection if the present petition is accepted and he is acquitted of the charge.

In view of the report submitted by the Mediator; considering the fact that the parties have settled their dispute and the petitioner has deposited 15 % of the settled amount with the Legal Services Committee of this Court, the present petition is allowed and the impugned judgment of conviction/ order of sentence dated 29.04.2017 passed by the trial Court as well as judgment dated 03.10.2017 passed by the Additional Sessions Judge, Fazilka, are set aside.

15.03.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No