

CRR-4850-2017 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-4850-2017 (O&M)

Date of Decision: 23rd April, 2018

Rajinder Manipal

...Petitioner

Versus

Joginder Pal & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajesh Gupta, Advocate, for the petitioner.

Mr. Ishwar C. Garg, Advocate, for respondent No.1.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for setting aside the judgment dated 13.09.2017 passed by the learned Additional Sessions Judge, Ludhiana, vide which, appeal of the petitioner against the judgment of conviction and order of sentence dated 21.03.2016 passed by the Judicial Magistrate First Class, Ludhiana, whereby, he was convicted and sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹ 1,000/- for the offence under Section 138 of the Negotiable Instruments Act, stands dismissed.

Notice of motion in this case was issued by this Court on 22.12.2017.

Upon notice, Mr. Ishwar C. Garg, Advocate, has put in appearance on behalf of complainant-respondent No.1 and states that a compromise has been entered into between the parties and an amount of

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₹ 1,60,000/- stands received by complainant-respondent No.1. He further states that complainant-respondent No.2 has no objection in case the present petition is allowed in terms of Section 320 of the Code of Criminal Procedure by compounding the offence in the light of the compromise arrived at between the petitioner and complainant-respondent No.2.

In the light of the Statement of the counsel for complainant-respondent No.2 and keeping in view the fact that the matter stands compromised between the parties, prayer made in CRM-41519-2017 for allowing the revision petition in terms of Section 320 of the Code of Criminal Procedure by compounding the offence is accepted and the judgment dated 13.09.2017 passed by the learned Additional Sessions Judge, Ludhiana, dismissing the appeal of the petitioner and the judgment of conviction and order of sentence dated 21.03.2016 passed by the Judicial Magistrate First Class, Ludhiana, are hereby set aside.

CRM-41519-2017 is allowed accordingly and the revision petition is disposed of in above terms.

CRM-41520-2017

In the light of the disposal of main revision petition, the present application has been rendered infructuous.

Disposed of as such.

(AUGUSTINE GEORGE MASIH)
JUDGE

23rd April, 2018
Harish

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