

**CRR No. 304 of 2018 and
CRR No. 343 of 2018**

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

**CRR No. 304 of 2018
Date of Decision: 21.03.2018**

Satish Saini

.....Petitioner

vs.

Jaswinder Singh and another

.....Respondents

CRR No. 343 of 2018

Satish Saini

....Petitioner

vs.

Jaswinder Singh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. K.P.S. Virk, Advocate, for
Mr. Sachin Gupta Ladwa, Advocate,
for the petitioner.

Mr. Yashveer Kharb, Advocate,
for respondent no. 1.

Mr. Surinder Singh, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

It has been pointed out that it was erroneously recorded in the order dated 16.03.2018 that “respondent no. 1, Jaswinder Singh does not deny that the matter has been compromised between the said respondent-complainant and the petitioner.....”, whereas as a matter of fact the said respondent was not present in Court on that date and it was actually his counsel who had made the aforesaid statement, with therefore, a direction issued by this Court that respondent no. 1-

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complainant shall remain personally present in Court today.

Today, respondent no. 1 is personally present in Court and by way of proof of identity has produced his drivers' licence, issued by the SDM, Panipat.

Upon query by the Court he has submitted that the matter has been fully compromised with the petitioner (in both these petitions) and that he has no objection to even the two complaints instituted at his instance under Section 138 of the Negotiable Instruments Act, 1881, being quashed.

On query again by the Court he has submitted that there is no pressure or undue influence on him to say so.

Consequently, even though the petitioner has been convicted by the learned trial Court (JMJC Panipat), for the commission of two offences punishable under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to one years' imprisonment (in each case), with those judgments and orders upheld by the learned appellate Court also, the offence being compoundable in terms of Section 147 of the said Act, these petitions are allowed and Criminal Complaint RBT no. 472 of 2011 (subject matter of CRR No. 304 of 2018) and Criminal Complaint RBT no. 647-2 of 2008 (subject matter of CRR No. 343 of 2018), are both hereby quashed with the petitioner therefore acquitted of the charges framed against him in both the cases against him.

He be therefore released from custody forthwith.

March 21, 2018
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.