

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 3067 of 2018 (O&M)

Date of Decision: 10.10.2018

Pardeep Kumar

...Petitioner

VERSUS

M/s Mangla Trading Company and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Saurabh Garg, Advocate
for the petitioner.

Mr. Upender Prasher, Advocate
for respondents no. 1 and 2.

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

Learned counsel for the petitioner submits that he has deposited the compounding charges as per observations of Hon'ble Apex Court in case of **Damodar S. Prabhu vs. Sayed Babalal H., (2010) 5 SCC 663.**

Learned counsel appearing for respondents no. 1 and 2 submits that he has no objection if the application seeking compounding of offence be allowed.

The petitioner was convicted and sentenced to undergo rigorous imprisonment for one year and to pay compensation of ₹1,68,360/- with simple interest @ 9% per annum by the trial Court. The appeal filed by him was also dismissed and his sentence and conviction was maintained. Now parties have effected the compromise and under the compromise settled amount has been paid to complainant. The petitioner has also deposited compounding charges as per observations of Hon'ble Apex Court in case of

Keeping in view above facts, this petition is allowed. The offence under Section 138 of Negotiable Instruments Act, for which the petitioner has been convicted is allowed to be compounded and conviction of petitioner as recorded by the Courts below is set aside.

This revision is disposed of in above terms.

October 10, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***