

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

**CRM-39312-2018,
CRM-39313-2018 in /and
CRR-3513-2018 (O&M)
Date of Decision:- 2.11.2018**

Pawan Kumar

... Petitioner

Versus

Rajinder Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aminder Singh, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

CRM-39312-2018

By way of this application, the applicant-petitioner seeks preponement and early hearing of the case which is otherwise stands fixed for 9.1.2019 on the ground that the parties have entered into a compromise and the matter stands settled.

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 9.1.2019 and is taken on Board today itself.

CRM-39313-2018

This application has been filed with a prayer therein for compounding the offence under Section 138 Negotiable Instruments Act as the matter stands settled between the parties. The said application is supported by a compromise deed (Annexure P-1) wherein it has been

specifically stated that both the parties have arrived at a compromise and full and final payment has been made by the second party (Pawan Kumar) to the first party (Rajinder Kumar).

At this stage Mr. Vinay Kumar Gupta, Advocate has appeared on behalf of the respondent/complainant, who is also accompanying him and has filed power of attorney. The same is taken on record.

Learned counsel for the complainant has informed that the entire cheque amount has already been received by the complainant by way of cash and that the complainant has no objection in case the judgment convicting the petitioner is set aside and the revision petition is accepted and petitioner is acquitted of all the charges framed against him.

Respondent/complainant Mr. Rajinder Kumar, present in the Court has admitted the aforesaid fact.

In view of the aforesaid position wherein the complainant present in the Court has admitted that the matter has been compromised, the application, as such is accepted and the petitioner is permitted to compound the matter accordingly.

CRR-3513-2018 (O&M)

In view of the aforesaid position of compromise and acceptance of application for compounding the offence under Section 138 Negotiable Instruments Act, the impugned judgments dated 8.4.2015 passed by learned Judicial Magistrate 1st Class, Barnala and 11.10.2018 passed by learned Additional Sessions Judge, Barnala are hereby set aside and the petitioner is acquitted of all the charges framed against him.

This order however has been passed subject to the condition that the petitioner deposits an amount of ₹15,000/- in High Court Legal Services Committee, Punjab and Haryana High Court.

The petitioner, who is in custody be released forthwith provided he is not required in any other case.

The revision petition stands accepted accordingly.

November 2, 2018
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(Gurvinder Singh Gill)
Judge

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