

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

CRR No.322 of 2019

Date of Decision:05.04.2019

Mukhtiar Singh

...Petitioner

Versus

The Primary Co-operative Agriculture Development Bank, Ferozepur

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Rahul, Advocate for
Mr.Raman Goklaney, Advocate for the petitioner
Mr.Bhupinder Beniwal, AAG, Punjab

ANIL KSHETARPAL, J.

This revision petition has been preferred against the judgments passed by the courts below, convicting the petitioner under Section 138 of the Negotiable Instruments Act, 1881.

Present petition was filed with an application under Section 320 (6) of the Code of Criminal Procedure, 1973 with a prayer for permitting the parties to compound an offence under Section 138 of the Negotiable Instruments Act, 1881.

On 06.02.2019, following order was passed by this Court:-

“It is, inter alia, contended that the parties have settled the dispute between themselves.

Notice of motion for 5.4.2019.

Mr. Puneet Kumar Bansal, Advocate puts in appearance on behalf of the respondent and admits the statement made by learned counsel for the petitioner.

A demand draft for a sum of ₹ 1,73,000/- has been handed over in Court to the counsel for the respondent. A photocopy thereof has been retained on record as Annexure P-1.

Adjourned to 5.4.2019 to enable the petitioner to

deposit 15% of the cheque amount with the High Court Legal Services Committee, within a period of 30 days from today.

Sentence of the petitioner is suspended subject to his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Judicial Magistrate, Ferozepur”.

Learned counsel for the petitioner submits that 15% of the cheque amount has been deposited with the High Court Legal Services Committee.

No one is present on behalf of the respondent.

Learned counsel for the petitioner submits that the Bank has already received the cheque amount and, therefore, he prays that the respondent is not interested.

In view of the above, the petitioner is permitted to compound the offence. Consequently, the judgments passed by the courts below are set aside. The petitioner is acquitted of the charge.

The present revision petition is allowed, accordingly.

05.04.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No