

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

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**CRR-517-2019 (O&M)
Date of Decision: 17.05.2019.**

Malkeet Singh

....Petitioner.

Versus

Vipan Kumar

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Ashok Kumar Sama, Advocate for the petitioner.

Mr. Varun Sharma, Advocate for the respondent.

Shekher Dhawan, J.

Power of Attorney filed on behalf of the respondent is taken on record.

CRM-7384-2019

Prayer made in the application is for condonation of delay of 380 days in filing the revision petition.

In view of the grounds mentioned in the application, same is allowed and delay of 380 days in filing the revision petition is condoned.

CRR-517 of 2019

Present revision petition is challenge to the judgment dated 07.12.2017 passed by Learned Additional Sessions Judge, Fazilka, whereby the appeal preferred by the petitioner-accused against the judgment of conviction and order of sentence dated 21.03.2016 passed by Sub Divisional Judicial Magistrate, Jalalabad (West), was dismissed and conviction of the petitioner-accused for 02 years' rigorous imprisonment and fine of Rs.10,000/-, under Section 138 of the Negotiable Instruments Act (for short,

Along with the present petition, an application (CRM-7389-2019) under Section 320 read with Section 482 Cr.P.C. has been moved seeking permission of the Court for compounding the offence under Section 138 of the Act.

Learned counsel representing the petitioner contended that during pendency of the proceedings, the matter has been amicably settled between the parties and the payment has been made.

Learned counsel for the respondent-complainant affirmed the factum of compromise and receipt of payment. He further submits that the respondent does not entertain any grievance and has no objection if the application for compounding is allowed.

In view of the above, necessary permission for compounding the offence is hereby granted. Application CRM-7389-2019 stands allowed.

Having considered the submissions made by learned counsel for the parties and appraisal of the record, this Court is of the considered view that since the parties have amicably settled the matter, the compounding of the offence, for which the petitioner-accused has been found guilty, is allowed. Consequently, the judgment of conviction and order of sentence dated 21.03.2016 passed by Sub Divisional Judicial Magistrate, Jalalabad and judgment dated 07.12.2017 passed by learned Additional Sessions Judge, Fazilka, are set aside.

Accordingly, the present criminal revision stands disposed of.

(SHEKHER DHAWAN)
JUDGE

17.05.2019
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No