

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

Date of Decision: July 24, 2019

1. CRR-650-2019 (O&M)

Gurbux Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

2. CRR-654-2019 (O&M)

Gurbux Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Sunny Kumar Singla, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Ms. Neelam Garg, Advocate,
for Mr. Mahipal S. Yadav, Advocate,
for respondent No.2.

Shekher Dhawan, J.

Challenge in the above titled two revision petitions is to the judgment dated 07.03.2019 passed by learned Additional Sessions Judge, Sangrur, whereby the appeal preferred by the petitioner-accused against the judgment of conviction and order of sentence dated 12.07.2017 passed by learned Judicial Magistrate Ist Class, Malerkotla, was dismissed and conviction of the petitioner-accused for one year rigorous imprisonment

and compensation with interest, under Section 138 of the Negotiable Instruments Act (for short, “the Act”) was maintained. Therefore, both these revision petitions are being taken up together and are being disposed of by this common order.

Along with the present petitions, applications (CRM-9321-2019 and CRM-9327-2019) under Section 147 of the Act read with Section 482 Cr.P.C. have been moved seeking permission of the Court for compounding the offence under Section 138 of the Act.

During the course of preliminary hearing, the Illaqa Magistrate/trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report from the Judicial Magistrate 1st Class, Malerkotla, has been received through District and Sessions Judge, Sangrur, with statement of parties, in which, it has been mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

In view of the above, necessary permission for compounding the offence is hereby granted. Applications CRM-9321-2019 and CRM-9327-2019 stand 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 12.07.2017 and judgment dated 07.03.2019 passed by learned Additional Sessions Judge, Sangrur, are set aside.

Accordingly, both these criminal revision petitions stand disposed of.

July 24, 2019
vkd

(Shekher Dhawan)
Judge

Whether reasoned / speaking : Yes / No
Whether reportable : Yes / No