

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Revision No. 1555 of 2009

Date of Decision: 19.12.2019

Thakur Dass

... Petitioner(s)

Versus

Amar Singh and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Sunil Agnihotri, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

Present revision petition has been filed against the judgment of conviction passed by the learned Judicial Magistrate Ist Class, Dasuya, convicting the petitioner under Section 138 of the Negotiable Instruments Act, 1881 and sentenced him to undergo rigorous imprisonment for a period of two years and to pay fine of ₹ 3,000/-. Appeal filed against the judgment was also dismissed.

On 10.06.2009, in the presence of the respondent/complainant and his counsel, following order was passed:-

“The revision against order convicting the petitioner for an offence under Section 138 of the Negotiable Instruments Act. In the meantime, the parties appear to have compromised the matter and the petitioner has discharged the entire liability. Respondent is present in person before the Court and is represented by a counsel. Counsel concedes that the entire

amount due has been paid by the petitioner.

Admitted.

Sentence shall remain suspended during the pendency of revision. Bail to the satisfaction of Chief Judicial Magistrate, Hoshiarpur.

Copy of the order be given Dasti under the signatures of Court Secretary”.

Petitioner also relies upon the deed of settlement wherein it has been written that the complainant does not wish to pursue this case.

The offence under Section 138 of the Negotiable Instruments Act, 1881 is compoundable in view of the order dated 10.06.2009 and the compromise has arrived at. The offence is permitted to be compounded. Consequently, the judgment of conviction and order of sentence shall cease to operate qua the petitioner.

(Anil Kshetarpal)
Judge

December 19, 2019
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No