

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

CRR-4062-2012

Date of Decision:02.07.2019

Kirpal Singh

...Petitioner

Versus

M/s Kesho Ram Pashupati Nath and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.P.K.S.Phoolka, Advocate for the petitioner.
Mr.Davinder Kumar, Advocate for respondent No.1.
Mr.Surinder Pal Singh Tinna, Addl. Advocate General.

ANIL KSHETARPAL, J.

This criminal revision petition has been filed against the judgment of conviction and order of sentence passed under Section 138 of the Negotiable Instrument Act, 1881 (for short `the Act of 1881).

It has been noticed that during the pendency of the present revision petition, the parties entered into a settlement. Affidavit of complainant-Ashutosh Chander son of Sh.Mahesh Chander, partner of the complainant-Firm, admitting the compromise and certifying that now there are no dues pending, has been filed. On 11.01.2013, while granting bail, this fact was noticed. It was also noticed that the entire amount stands paid. However, the revision petition was kept pending.

Today, learned counsel for the petitioner has once again reiterated the aforesaid stand and submitted that since the offence under Section 138 of the Act of 1881 is compoundable, therefore, the same may be ordered to be compounded.

On the other hand, learned counsel for respondent No.1-complainant pleads no instructions. He submits that after passing of order

dated 11.01.2013, the complainant has not contacted him.

Be that as it may, once on 11.01.2013, it has already been recorded by this Court that the entire amount has been paid and the matter has been compromised, therefore, it would not be appropriate to keep the revision petition pending.

In view of the above, the present revision petition is disposed of. It is declared that the offence stands compounded and hence, the judgment of conviction and order of sentence passed by the court below would be of no effect.

Disposed of, accordingly.

02.07.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No