

231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2825-2016 (O&M)

Date of decision-14.02.2019

Balwinder Singh

....Petitioner

Vs.

Baljinder Kaur

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.S.Hundal, Advocate for the petitioner.

Mr. Umesh Sharma, Advocate for the respondent.

MANOJ BAJAJ, J.

The present petition has been preferred by the petitioner against the judgment and order dated 04.04.2016, passed by the Judicial Magistrate 1st Class, Amritsar, convicting under Section 138 of the Negotiable Instruments Act and sentenced to undergo rigorous imprisonment for a period of two years and to pay compensation under Section 357(3) Cr.P.C of Rs.25,00,000/- to the complainant and judgment dated 02.08.2016, passed by the learned Additional Sessions Judge, Amritsar, whereby the judgment and order passed by the learned trial Court, have been upheld.

On 18.10.2016, the following order was passed:-

“Learned counsel for the parties state that the matter has been compromised before the Mediation & Conciliation Centre of this Court and the petitioner is required to pay the last installment on or before 25.04.2017.

In view of compromised entered between parties, the

matter is adjourned to 27.04.2017.

Meanwhile, the amount, deposited by the petitioner with the trial Court, shall be released to the respondent.”

It is not disputed by the parties that the requisite amount as settled between the parties before the Mediation and Conciliation Centre of this Court stands paid.

Learned counsel for the petitioner contends that amount has been paid and the complainant is satisfied with the same and has no grievance.

Learned counsel for the complainant-respondent admits the fact that amount has been paid and states that he has no objection, in case, the offence is ordered to be compounded and the impugned orders are set aside.

Considering the stand of the parties, the compounding of the offence is accepted; judgment of conviction and order of sentence dated 04.04.2016, passed by the learned trial Court, and judgment dated 02.08.2016, passed by the learned Appellate Court, are hereby set aside and the complaint is rendered inconsequential.

Disposed off.

(MANOJ BAJAJ)
JUDGE

14.02.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No