

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

109+274

CRR-4684-2017(O&M)

Date of Decision: May 15, 2019

Arun Babu Lal Shah

.....Petitioner(s)

versus

Ankit Kumar

.....Respondent(s)

274/2

CRR-4685-2017(O&M)

Arun Babu Lal Shah

.....Petitioner(s)

versus

Ankit Kumar

.....Respondent(s)

274/3

CRR-4686-2017(O&M)

Arun Babu Lal Shah

.....Petitioner(s)

versus

Ankit Kumar

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Manhar S. Saini, Advocate for the petitioner.

Mr. D.S. Matya, Advocate for the complainant.

SHEKHER DHAWAN , J. (Oral)

Present criminal revision under Section 401 of the Code of Criminal
Procedure has been filed against the judgment dated 21.11.2017 passed by learned

Additional Sessions Judge, Ambala, whereby the appeal preferred by the petitioner-accused against the judgment of conviction and order of sentence dated 12/29.05.2015 passed by learned Judicial Magistrate Ist Class, Ambala was dismissed and conviction of the petitioner-accused for 2 years' rigorous imprisonment and compensation with interest, under Section 138 of the Negotiable Instruments Act (for short, "the Act") was maintained.

Along with the present petition, an application (CRM-9310-2019) under Section 482 Cr.P.C. has been moved seeking permission of the Court for compounding the offence under Section 138 of the Act.

In terms of order dated 08.04.2019, passed by this Court, the petitioner has deposited a sum of Rs.3,50,000/- with the Registry of this Court.

Learned counsel representing the parties contended that the matter has otherwise been amicably settled between the parties, which was initiated on the basis of complaint under Section 138 of the Act. Learned counsel representing the respondent-complainant has taken the stand that cheque amount as well as interest amount have been received in all these petitions bearing Nos.***CRR-4684-2017, CRR-4685-2017 and CRR-4686-2017*** and respondent-complainant has no objection in case necessary permission to compound the offence under Section 147 of Negotiable Instruments Act, 1881 is granted.

In view of the above, necessary permission for compounding the offence is hereby granted. Application CRM-9310-2019 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 12/29.05.2015 and judgment dated 21.11.2017 passed by learned Additional Sessions Judge, Ambala , are set aside.

Accordingly, the present criminal revisions stand disposed of.

May 15, 2019

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**[SHEKHER DHAWAN]
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No