

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Revision No. 2051 of 2018 (O&M)

Date of Decision: 23.01.2019

Surinderpal Singh

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Ms. Jasvir Kaur, Advocate
for the petitioner(s).

Mr. Ashok Kumar Singla, Senior Deputy Advocate
General, Punjab for respondent No.1.

Mr. Jagjit Singh, Advocate
for Mr. Gurinder Singh, Advocate
for respondent No.2.

Shekher Dhawan, J.

In compliance with order dated 18.09.2018, passed by this Court, petitioner has already deposited a sum of Rs.78,000/- as 15% of the cheque amount as per judgment rendered by the Hon'ble Apex Court in ***Damodar S. Prabhu v. Sayed Babalal H. (2010) 5 SCC 663***. The cheque amount has already been paid to the complainant and now both the parties have settled the dispute amicably.

By filling an application i.e. CRM-33009-2018 by the petitioner, prayer has been made to compound the offence under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as “the Act”).

In view of the grounds taken in the aforesaid application and the fact that the parties have settled the dispute amicably in a case initiated on the basis of a complaint filed under Section 138 of the Act, the same is allowed and necessary permission is hereby granted to compound the offence.

Taking into consideration the facts that the complaint under Section 138 of the Act was filed and conviction was recorded thereunder, which was affirmed in appeal, but thereafter, the matter has been settled amicably between the parties as per the provisions of Section 147 of the Act lawfully rendering the present litigation futile, as such, the judgment of conviction and order of sentence dated 03.11.2015 passed by the learned Judicial Magistrate Ist Class, Jalandhar as well as the judgment dated 26.02.2018, passed by the learned Additional Sessions Judge, Jalandhar, dismissing the appeal against the judgment of conviction and order of sentence dated 03.11.2015, stand set aside as the matter has been lawfully compounded. The petitioner is acquitted of the charge. Accordingly, present revision petition stands disposed of.

(Shekher Dhawan)
Judge

January 23, 2019
“DK”

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