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

CRR-2203-2018(O&M)

Date of Decision: 23.01.2019

Sukhwinder Singh Hanjara**...Petitioner**

Versus

M/s Efficient Coal Traders and another**....Respondents****CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Jashandeep Singh, Advocate
for the petitioner.

Mr. Satpal Singh, Advocate
for respondent No. 1.

RAMENDRA JAIN, J. (ORAL)

Through this revision, revisionist has sought for compounding the offence under Section 138 of the Negotiable Instrument Act, 1881 on the basis of compromise dated 03.08.2018 (Annexure P-1) between him and the complainant.

Heard.

On 03.08.2018, Mr. Malkit Singh Jandiala, Advocate appeared on behalf of respondent No. 1-complainant and admitted the aforesaid compromise between the parties. He also stated at bar that he has no objection if the sentence of the petitioner is suspended. In view thereof, sentence of the petitioner was suspended.

In view of the factual position of the case, the petitioner was directed to deposit 15% of the cheque amount in view of the

decision of the Hon'ble Supreme Court in ***Damodar S.Prabhu Versus Sayed Babalal H, 2010 (2) RCR (Criminal) 851*** which has been complied with vide order dated 08.10.2018.

Since the parties have compromised the matter, therefore, under Section 147 of the Act, which permits the compounding of offence punishable under Section 138 of the Act, the application is allowed and the parties are permitted to compound the offence.

Consequently, the impugned judgment of the Appellate Court dated 23.05.2018 and dated 04.08.2016 of the trial Court, convicting the petitioner for a period of one year and payment of compensation amount of ₹ 5,00,000/- each are set aside. Resultantly, the complaint filed by the respondent under Section 138 of the Act is deemed to have been dismissed.

Disposed of.

23rd January, 2019

shabha

**[RAMENDRA JAIN]
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No