

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

239

CRR No. 2209 of 2018 (O&M)
Date of Decision: July 24, 2019

Balbir Singh

.....Petitioner

versus

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. S.S. Salar, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

Mr. A.P.S. Bhinder, Advocate for respondent No.2.

MANOJ BAJAJ, J. (Oral)

Petitioner through present revision petition prayed for setting aside judgment dated 02.06.2015 passed by the Additional Sessions Judge, SAS Nagar, Mohali, whereby the appeal filed by him against the judgment of conviction and order of sentence dated 20.02.2014 passed by the Judicial Magistrate First Class, Mohali, convicting him for the offence under Section 138 of Negotiable Instruments Act, 1881 and sentencing him to undergo rigorous imprisonment for a period of one year besides paying compensation amount of Rs.6,50,000/- was dismissed.

Application bearing No. CRM No. 23176 of 2018 has been preferred by the petitioner for placing on record compromise as Annexure P1 stated to be arrived at between the parties.

Learned counsel for the petitioner has pointed out that pursuant to order dated 11.07.2018, the amount in question settled between the parties vide compromise (Annexure P-1) has been paid to the complainant.

Learned counsel appearing on behalf of complainant-respondent No.2 has not disputed the aforesaid fact of receiving the amount and submits no objection to the compounding of the offence. It is further pointed out that in compliance of the order dated 11.07.2018, he has also deposited 15% of the cheque amount with the State Legal Services Authority vide draft No. 036745 dated 18.07.2018 and photocopy of draft has been produced before this Court, which is taken on record.

Considering the compromise effected between the parties, the payments made and the penalty deposited, the prayer for compounding of the offence under Section 138 of Negotiable Instruments Act, 1881 is accepted. Resultantly, the judgment of conviction and order of sentence dated 20.02.2014 passed by the trial Court and upheld by Appellate Court vide order dated 02.06.2015 are set aside and the complaint is declared inconsequential.

Disposed off.

July 24, 2019
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[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No