

CRR No.2888 of 2018

Delhi Eggs Centre and anr. Vs. State of Haryana and anr.

Present: Charshni Kumar Talwani – petitioner in person with
Mr.Parminder Walia, Advocate.

Mr.Anil Kumar Chahal, DAG, Haryana,
for respondent No.1.

Anoop Malhotra – respondent No.2 in person with
Mr.Gaurav Gupta, Advocate.

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Present revision petition has been filed by the accused/petitioner against the judgment of conviction dated 16.04.2015 and the order of sentence dated 23.04.2015 passed by the Court of learned Chief Judicial Magistrate, Panchkula, convicting the petitioner under Section 138 of the Negotiable Instruments Act and sentencing him to undergo rigorous imprisonment for a period of one year and to pay a fine of ₹14,00,000/-, out of which, ₹13,90,000/- will be paid as compensation to the complainant and in default of payment of fine, to further undergo another imprisonment for a period of three months, which conviction and sentence was confirmed in appeal by learned Additional Sessions Judge, Panchkula, vide judgment dated 16.08.2018. Aggrieved by the judgments of the Courts below, the petitioner has come up in revision.

It has been stated by the parties that they have compromised. Statements of the parties have been recorded. It has been stated by the petitioner – Charshni Kumar Talwani that he has paid the entire amount as per settlement and this revision petition may be accepted. He has further stated that as per settlement, he will withdraw the pending complaint filed by him against the respondent – complainant at Delhi and that he will also

be having no objection if any petition is filed by the respondent-complainant for quashing of pending criminal proceedings initiated by him against the respondent-complainant at Delhi. It has been stated by respondent No.2 – complainant that he has received total amount of ₹9,92,425/- from the petitioner by way of compromise. He has further stated that he has no objection if the present petition is accepted and the impugned orders passed by learned Chief Judicial Magistrate, Panchkula, dated 16.04.2015 and learned Additional District & Sessions Judge, Panchkula, dated 16.08.2018 are set aside and the petitioner is acquitted of the offence charged with.

In view of the statements of the parties, the present revision petition is accepted and the impugned judgments of conviction and order of sentence passed by the Courts below are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

10.07.2019
P.Seth