

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

CRR-2054-2019 (O&M)
Date of decision : 06.09.2019

Avtar Singh

...Petitioner

Versus

Roshal Lal

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S. Bhatia, Advocate for the petitioner.

Mr. Sourabh Garg, Advocate for the complainant.

ANIL KSHETARPAL, J. (ORAL)

This revision petition has been preferred against judgment of conviction and order of sentence passed by the learned Judicial Magistrate Ist Class, Fatehgarh Sahib, while dealing with the complaint under Section 138 of the Negotiable Instruments Act, 1881. Appeal filed against the same was dismissed.

On 26.08.2019, while noticing the contention of learned counsel for the parties, following order was passed:-

“Petitioner is a convict under Section 138 of the Negotiable Instrument Act, 1881.

Learned counsel for the petitioner has pointed out that during the pendency of the appeal, parties had settled the matter and Rs.2,00,000/- remains to be paid on 06.09.2019.

Learned counsel for the respondent does not dispute the aforesaid fact.

Adjourned to 06.09.2019.

In the meantime, petitioner shall not be arrested. However, it is made clear that petitioner shall bring a Demand Draft of Rs.2,00,000/- drawn in favour of the respondent on the date fixed, i.e. 06.09.2019.”

Learned counsel appearing for the respondent-complainant admits that the demand draft of ₹2,00,000/- as noted in the order dated 26.08.2019 has also been paid. He further informed the Court that the parties have now reconciled their dispute and the complainant is not to recover any further amount. Affidavit of the complainant-respondent in this regard has also been filed which is taken on record. Offence under Section 139 of the Negotiable Instruments Act is compoundable.

Keeping in view the aforesaid facts, offence is allowed to be compounded. Judgment of conviction and order of sentence would cease to operate.

In view of the above, the present petition is disposed of.

06.09.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No