

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Revision No. 2419 of 2019 (O&M)

Date of Decision: 20.09.2019

Mohan Lal Garg

... Petitioner(s)

Versus

Prem Chand Garg

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Vikas Garg, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present revision petition is against the impugned judgment of conviction and order of sentence dated 11.09.2019, passed by the learned Judicial Magistrate Ist Class, Bathinda in a complaint bearing No. 550 dated 16.07.2016 titled as “Prem Chand Garg v. Mohan Lal Garg” under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as “the Act”) read with Section 142 of the Act and Section 420 IPC as well as the judgment dated 09.08.2019, passed by the learned Additional Sessions Judge, Bathinda, in appeal which was dismissed.

Learned counsel for the petitioner contended that after decision of appeal by the learned Additional Sessions Judge, Bathinda, the parties have amicably settled the matter and the entire payment has been made to the satisfaction of the respondent/complainant. Learned counsel further contended that an application (CRM-29296-2019) has also been filed along with the revision petition wherein a prayer has been made that necessary

permission be granted to the petitioner to compound the offence on the basis of compromise.

Notice of motion.

Mr. Prateek Pandit, Advocate, who is present in the Court, has put in appearance on behalf of the respondent/complainant and filed his power of attorney. A complete copy of paper-book be provided to him during the course of the day.

Learned counsel for the respondent has affirmed that the matter has been amicably settled between the parties as the entire payment has been made by the petitioner.

In view of above, application (CRM-29296-2019), filed by the petitioner, wherein a prayer has been made that necessary permission be granted to the petitioner to compound the offence under Section 138 of the Act on the basis of compromise, stands allowed. As the matter has been lawfully compounded, thus, present revision petition stands accepted. The judgment of conviction and order of sentence dated 11.09.2019, passed by the learned Judicial Magistrate Ist Class, Bathinda as well as the judgment dated 09.08.2019, passed by the learned Additional Sessions Judge, Bathinda are set aside and the petitioner is acquitted of the charges framed against him.

(Shekher Dhawan)
Judge

September 20, 2019
“DK”

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