

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRR-1021-2020****(Heard through VC)****Date of decision:29.10.2020****Anil****....Petitioner****V/s.****Shamsher Singh****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

Mr. Sajjan Singh, Advocate
for the respondent/complainant.

Ritu Bahri, J. (Oral)

By this revision, the petitioner is challenging judgment dated 03.07.2017, order of conviction and sentence dated 07.07.2017 and the judgment dated 10.09.2019 whereby the appeal of the petitioner was dismissed by the learned Additional Sessions Judge, Jhajjar.

Learned counsel for the respondent/complainant submits that the complainant has accepted Rs.10 lacs on 05.10.2020 and the matter stands compromised. He further submits that the complainant is also present in his office. On a specific query put to the complainant, he submits that he has received Rs.10 lacs on 05.10.2020 towards final settlement with respect to dispute between the parties and has compromised the matter. The Aadhar Card of the complainant has been emailed which is taken on record as Annexure A-1.

As per the application for suspension of sentence of the petitioner, the petitioner has undergone 10 months in custody out of one year. The offence under Section 138 of the Negotiable Instruments Act,

1881 (for short 'the Act') is compoundable as per the provisions (u/s. 147) contained in the Act, therefore this Court permits the parties to compound the offence.

Keeping in view the affidavit dated 08.07.2020 (Annexure P-1) and the statement given by the complainant who is present in the office of learned counsel for the complainant, that he is satisfied by accepting Rs. 10 lacs, the compromise is accepted being offence compoundable.

Keeping in view above, the judgment dated 03.07.2017, order of conviction and sentence dated 07.07.2017 passed by Judicial Magistrate 1st Class, Bahadurgarh and judgment dated 10.09.2019 passed by Additional Sessions Judge, Jhajjar whereby the petitioner was convicted for simple imprisonment for a period of one year with fine of Rs.31,20,000/- and in default thereof, he was to undergo simple imprisonment for a period of six months, are set aside and the petitioner is acquitted of the charges levelled against him.

Revision stands disposed of.

29.10.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**