

CRR-919-2021 (O&M)
Date of decision : 15.9.2021

M/s Bharat Pesticides & Beej Bhandar and another

... Petitioners

Versus

Swal Corporation Limited

... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHUPresent: Mr.Atul Prataap Dharnkhar, Advocate for
Mr.BS Dhankhar, Advocate for the petitioners

Mr.Kuldeep Singh Deswal, Advocate for the respondent

HARINDER SINGH SIDHU, J.

The present revision petition has been filed by the petitioner against the judgment dated 10.2.2021 passed by learned Additional Sessions Judge, Hisar, affirming the judgment of conviction and order of sentence dated 19/23.1.2018 passed by learned trial Court.

A complaint under Section 138 of the Negotiable Instrument Act was filed against the petitioner. The petitioner was convicted and sentenced to undergo imprisonment for a period of one year and was directed to pay an amount of compensation of Rs.8,59,618.40 to the respondent. Appeal of the petitioner filed against the judgment of conviction and order of sentence dated 19/23.1.2018 has been dismissed by learned Additional Sessions Judge, Hisar, vide judgment dated 10.2.2021.

The petitioner, thereafter, has instituted the present revision petition.

During the pendency of the present revision petition, the matter has been compromised between the parties. In terms of the compromise, a draft of Rs.6,80,000/- has been handed over to the complainant- respondent.

Learned counsel for the respondent affirms the receipt of the said amount as full and final settlement of the same.

Learned counsel for the parties are agreed that in view of the compromise, the judgments and order passed by Courts below may be set aside.

Accordingly, the present revision petition is allowed. The judgment of conviction and order of sentence dated 19/23.1.2018 passed by learned trial Court as well as the judgment dated 10.2.2021 passed by learned Additional Sessions Judge, Hisar are set aside. The petitioner is acquitted of charge framed on the complaint filed under Section 138 of NI Act. The same shall be subject to deposit of Rs.80,000/- with the Haryana State Legal Services Authority.

15.9.2021
gsv

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No