

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR-2992-2019 (O&M)

Date of Decision:- 07.12.2021

Jasvir Singh

.... Petitioner

Versus

HDFC Bank and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ankur Bansal, Advocate, for the petitioner.

Mr. Saurabh Bhardwaj, Advocate, for respondent No.1.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court challenging judgment dated 29.10.2019 passed by learned Additional Sessions Judge, Kapurthala vide which an appeal filed by him against judgment dated 11.9.2017 passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, convicting him for offence under Section 138 of Negotiable Instruments Act, has been dismissed.
2. During the course of proceedings of this revision petition, it was represented on 27.8.2021 by the petitioner that matter has been amicably resolved amongst the parties and that a schedule for repayment of loan amount had been settled amongst them and that as per the settlement he had paid two installments of Rs.25 lakhs each

and that a balance of Rs.66 lakhs remains to be paid which is to be paid by 31.10.2021.

3. Learned counsel appearing on behalf of respondent No.1-HDFC Bank has admitted that the matter has been amicably settled and that the entire dues i.e. Rs.1.16 crores, as settled have been paid to the Bank and that the Bank has no objection for compounding the offence.
4. An affidavit of Mr.Harminder Pal Singh, Manager (Legal, Agriculture) HDFC Bank, Regional Office, Chandigarh has also been placed on record wherein also it has been deposed that the parties have amicably resolved the matter and that the Bank has recovered the amount of Rs.1.16 crores as per the settlement and that the Bank has already issued 'No Objection Certificate' to the petitioner. It has further been specifically deposed therein that the Bank does not want to pursue the matter any longer and has no objection in case the offence is compounded.
5. In view of the aforestated position wherein the matter has been amicably resolved and the amount in question stands repaid to the Bank and that the Bank does not have any objection for compounding the offence, the revision petition is accepted inasmuch as the conviction of the petitioner as recorded by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi and as upheld by the Court of learned Additional Sessions Judge, Kapurthala, are set aside and the matter is disposed of having been compromised.

6. Since the petitioner has already undergone a substantive part of sentence i.e. about 7 months out of the imposed sentence of 1 year and has also repaid the amount, no further direction for payment of any costs etc. is required to be issued.
7. The petition stands disposed off accordingly.

07.12.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No