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CRR-127-2022 (O&M)

SONU V/S U.T., CHANDIGARH AND ANR

Present: Sonu – petitioner in person with
Mr.Rakesh Kaundal, Advocate.

Ms.Vasundra Anand, APP,
U.T., Chandigarh – respondent No.1.

Chunni Lal- respondent No.2 in person with
Mr.Arun Jangra, Advocate.

* * * *

Present revision petition has been filed by the accused/petitioner against the judgment of conviction dated 21.03.2018 and order of sentence of even date passed by the Court of learned Judicial Magistrate 1st Class, Chandigarh, convicting the petitioner under Section 138 of the Negotiable Instruments Act, 1881 and sentencing him to undergo rigorous imprisonment for a period of one year, with a further direction to pay an amount of ₹1,50,000/-, equivalent to the cheque amount, as compensation under Section 357(3) Cr.P.C. to the complainant within a period of one month of expiry of period prescribed for appeal or its disposal, if any, which conviction and sentence was confirmed in appeal by learned Sessions Judge, Chandigarh, vide judgment dated 22.12.2021. Aggrieved by the judgments of the Courts below, the petitioner has come up in revision.

It has been stated by the parties that parties have compromised. Statements of the parties have been recorded separately to this effect. It has been stated by the petitioner - Sonu that he has settled the matter with respondent No.2 - complainant. Compromise entered between them is Ex.X (Annexure P-1). He further states that he has paid the entire settled amount

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to respondent No.2 - complainant as per compromise and that hence, the present petition be accepted and the judgments and order passed by the Courts below be set aside and he be acquitted of the offence charged with. It has been stated by Chunni Lal – respondent No.2 that he has settled the dispute with the petitioner and he has received the settled amount as per compromise dated 10.01.2022, which is Ex.X (Annexure P-1) and hence, he has no objection if the present petition is accepted and the judgments and order passed by the Courts below are set aside and the petitioner is acquitted of the offence charged with.

In view of the statements of the parties, the present revision petition is accepted and the impugned judgments of conviction and order of sentence passed by the Courts below are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

20.12.2022
P.Seth