

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-902-2020 (O&M)
Date of Decision:-08.03.2022

MEETU NANDA

... Petitioner(s)

Versus

M/S AMBAY HANDICRAFTS AND ANR

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sandeep Punchhi, Advocate
for the petitioner.

Mr. Deepak Girotra, Advocate
for the respondents.

KARAMJIT SINGH, J. (Oral)

This order will dispose of the present criminal revision petition filed by Meetu Nanda (accused/petitioner).

The brief facts of the case are that the respondent No.1 (complainant) filed criminal complaint under Section 138 of Negotiable Instruments Act (in short 'NI Act') against the petitioner regarding dishonour of cheque worth ₹50,000/- bearing No.872309 dated 15.1.2017. On completion of trial, the petitioner was convicted under Section 138 of NI Act and sentenced to undergo rigorous imprisonment for a period of 1 year and to pay fine of ₹70,000/- which includes interest @ 9% per annum from

the date of issuance of cheque and ₹5,700/- litigation expenses and ₹5,000/- Court fine. Out of total amount ₹65,000/- was directed to be paid to the complainant as compensation under Section 357 Cr.P.C. and ₹5,000/- is to be deposited as fine with the Court. In default of payment of fine the accused was to further undergo simple imprisonment for a period of 3 months vide judgment dated 5.2.2019 and order of sentence dated 6.2.2019 passed by Court of Judicial Magistrate Ist Class, Panipat.

Being aggrieved, the petitioner filed criminal appeal against the said judgment and order. After hearing both the parties, the Appellate Court dismissed the appeal filed by the petitioner vide judgment dated 16.3.2020.

Still being not satisfied, the petitioner has filed the present revision petition.

Upon notice of motion, Mr. Deepak Girotra, Advocate presented his power of attorney on behalf of respondents.

During the pendency of this revision petition, the matter was referred to Mediation and Conciliation Centre, Panipat, where the dispute between the parties was amicably resolved.

Mr. Deepak Girotra, Advocate respondent No.1 has admitted the fact of compromise which has been effected between the parties. He further admitted that the settled amount as per said compromise has been received by respondent No.1 from the petitioner. He has no objection, if the offence punishable under Section 138 of NI Act is compounded.

The counsel for the petitioner produced copy of receipt No.3659 and submitted that the requisite compounding fee has been deposited by the

petitioner in compliance of order dated 20.12.2021 passed by the Co-ordinate Bench of this Court. This fact has not been disputed by the counsel for respondent No.1.

Thus it is clear that the parties have settled their dispute by way of compromise and accordingly permission is hereby granted to the parties to compound the offence punishable under Section 138 of Negotiable Instruments Act.

Consequently, the present revision petition is allowed and impugned judgments and orders passed by the Courts below are set aside. The complaint filed by respondent No.1 under Section 138 Negotiable Instruments Act is dismissed and the petitioner stands acquitted.

(KARAMJIT SINGH)
JUDGE

08.03.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No