

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRR-226-2010 (O&M)
Date of Decision: 18.2.2022**

Vijay Kumar

....Petitioner

VERSUS

Harinder Pal

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Simsi Dhir Malhotra, Advocate,
for the petitioner.

Ms. Ekta Thakur, Advocate,
for the respondent.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of Covid-19 Pandemic.

The petitioner has filed the present petition challenging the judgment dated 8.10.2008 passed by SDJM, Garhshankar whereby the petitioner was convicted and sentenced to RI for 2 years and to pay fine of ₹ 5000/- and in default to further undergo RI for two months under Section 138 of Negotiable Instruments Act and judgment dated 28.11.2009 whereby the appeal filed by the petitioner against the aforesaid judgment and order was dismissed by the Court of Additional Sessions Judge, Hoshiarpur with modification that sentence of imprisonment was reduced from 2 years to 1 year.

Still being aggrieved, the petitioner has filed the present revision petition.

Counsel for the petitioner on the last date of hearing submitted

that the parties have arrived at a compromise during the pendency of the present petition, as per which, amount of ₹ 60,000/- was paid by the petitioner to the respondent by way of full and final settlement of the dispute.

Ms. Ekta Thakur, Advocate, who marked her presence on behalf of the respondent admitted the factum of compromise. The cheque in dispute was worth ₹ 70,000/-. On the last date of hearing, the petitioner was directed to deposit ₹ 10,000/- as compounding fee with High Court Legal Services Committee.

Today, counsel for the petitioner has submitted that the aforesaid compounding fee was deposited on 2.2.2022 with concerned legal services committee and the original receipt is already placed on record.

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 the respondent under Section 138 of Negotiable Instruments Act is dismissed and the petitioner stands acquitted.

February 18, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No