

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

234

CRR-2176-2012 (O&M)

Date of Decision: 13.12.2022

Gurdeep Singh

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. A.K.Kanwar, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

Mr. Robert Kanwar, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition is directed against judgment dated 11.07.2012 passed by the learned Additional Sessions Judge, Patiala, whereby while dismissing appeal preferred by the petitioner against judgment of conviction dated 05.03.2011 passed by the learned Judicial Magistrate Ist Class, Patiala, the conviction of the petitioner for an offence under Section 138 of the Negotiable Instruments Act, has been upheld.
2. During the pendency of the revision petition, the parties amicably resolved their issues and a compromise was effected. Vide order dated 30.09.2022, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate Ist Class, Patiala, has been received, wherein it has been reported that the compromise effected between the parties is genuine, voluntarily and without any coercion or undue influence.
4. Learned counsel for respondent No.2/complainant has also not disputed the factum of compromise and has submitted that respondent No.2/complainant has no objection in case the revision petition is accepted and the petitioner is acquitted.
5. In view of the aforesaid position, the present petition is allowed and the judgments under challenge are hereby set aside and the petitioner is ordered to be acquitted of all the charges framed against him.
6. The aforesaid order is, however, subject to the condition that the petitioner shall deposit an amount of Rs.10,000/- as costs of litigation before the High Court Legal Services Committee within 6 weeks from today.

13.12.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**