

CRR NO.4737 OF 2015

501

AJMER SINGH V/S M/S SHISHPAL RAKESH KUMAR

Present: Mr. Vivek Aggarwal, Advocate with
Ajmer Singh-Petitioner in person.

Mr. Bhupender Singh, Advocate with
Shishpal-Respondent/Complainant in person.

* * * *

The present revision petition is by petitioner-Ajmer Singh against the conviction and sentence under Section 138 of the Negotiable Instruments Act, 1881.

The facts of the case are that the petitioner was convicted under Section 138 of the Negotiable Instruments Act, in a complaint filed by Shishpal-complainant qua dishonouring of cheque No.322131 dated 28.11.2009 of Rs.6,00,000/- drawn at Karnal Central Cooperative Bank Ltd., Jundla and sentenced to undergo rigorous imprisonment of 2 years along with fine of Rs.500/- by JMFC 1st Class, Karnal vide order dated 20.12.2013. The appeal preferred by him against the aforesaid judgment and order was dismissed on 02.12.2015 by the Additional Sessions Judge, Karnal.

The petitioner has preferred the present revision petition before this Hon'ble Court. In the revision petition, he was granted bail on 17.03.2016 subject to deposit of Rs.2 lakhs before the trial Court, at the satisfaction of Id. Chief Judicial Magistrate/Duty Magistrate, Karnal.

Both the parties are present in Court, today. The matter has been discussed with the parties as also with the learned counsel for the parties and they have arrived at a settlement. Their statements have been recorded separately. The part payment has been made to the complainant as stated by him in his statement and the remaining amount of Rs.2.25 lac is payable on or before 10.04.2022.

In view of the compromise arrived at between the parties and part payment having been made, this revision

petition is disposed of having been settled by a compromise. The natural corollary is that conviction and sentence, so recorded by the trial Court and upheld by the Appellate Court to petitioner-Ajmer Singh is set aside and he stands acquitted of the charges levelled against him.

File be consigned.

Copy of the order and statement be given to learned counsel/parties.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

February 24, 2022
NainaRajput