

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

CRR-3805-2017 (O&M)
Date of Decision:-**13.09.2022**

VINOD GARG

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANR.

... Respondent(s)

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Anchit Singla, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. G.S. Sandhu, Advocate
for respondent No.2.

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KARAMJIT SINGH, J. (Oral)

The petitioner has filed the present petition challenging the judgment dated 11.03.2016 passed by Judicial Magistrate Ist Class, Bathinda whereby the petitioner was convicted and sentenced to RI for a period of 1 month and to pay fine of ₹5,000/-, in default of payment of fine to undergo RI for a period of 2 weeks under Section 138 of Negotiable Instruments Act and judgment dated 8.9.2017 whereby the appeal filed by the petitioner against the aforesaid judgment and order was dismissed by the Court of Additional Sessions Judge, Bathinda. However, the appeal filed by respondent No.2-complainant for enhancement of sentence awarded to the

petitioner was allowed and his sentence was enhanced to rigorous imprisonment for a period of 1 year and to pay fine of ₹5,000/- and in default of making payment of fine, he shall have to undergo RI for a period of two weeks.

Being aggrieved, the petitioner has filed the present revision petition.

Today the counsel appearing on behalf of respondent No.2 submits that the matter has been settled between the parties and the entire settled amount has been received by respondent No.2 from the petitioner and respondent No.2 has got no objection if the offence punishable under Section 138 of Negotiable Instruments Act is compounded and the present petition is allowed and the petitioner is acquitted.

Even the counsel appearing on behalf of the petitioner has also made similar submissions.

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 and the complaint filed by the respondent no.2 under Section 138 of Negotiable Instruments Act is dismissed and the petitioner stands acquitted.

(KARAMJIT SINGH)
JUDGE

13.09.2022
Gaurav Sorot

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No