

501

CRR No.4581 of 2017

**MAHESH KUMAR MITTAL
V/S
STATE OF PUNJAB AND ANOTHER**

Present: Mahesh Kumar Mittal- petitioner in person with
Mr.Ankush Singla, Advocate.

Ms.Jasleen Kaur Sidhu, DAG, Punjab,
for respondent No.1.

Gurdeep Singh – respondent No.2 in person with
Mr.Ranbir S. Sekhon, Advocate.

* * * *

Present revision petition has been filed by the
accused/petitioner against the judgment of conviction and order of sentence
dated 25.10.2016 passed by Judicial Magistrate First Class, Malout,
convicting the petitioner under Section 138 of the Negotiable Instruments
Act and sentencing him to undergo rigorous imprisonment for a period of 2
years and to pay fine of ₹5,000/- and in default of payment of fine, to further
undergo rigorous imprisonment for a period of three months, which
conviction and sentence was confirmed in appeal by learned Additional
Sessions Judge, Sri Muktsar Sahib, vide judgment dated 01.11.2017.
Aggrieved by the judgments of the Courts below, the petitioner has come up
in revision.

It has been stated by the parties that they have compromised.
Statements of the parties have been recorded. It has been stated by the
petitioner - Mahesh Kumar Mittal that he has brought Demand draft for
₹4,00,000/- (₹ Four Lakh Only) bearing No.000609 302765010 dated
08.09.2022, drawn on AU Small Finance Bank, for being paid to respondent
No.2 as full and final settlement of his claim. He has further stated that the

draft has been handed over to respondent No.2 and that hence, the petition be accepted and the orders passed by the Courts below be set aside and he be acquitted. It has been stated by Gurdeep Singh – respondent No.2 that he has accepted ₹4,00,000/- by way of Demand Draft as full and final settlement of his claim. He has further stated that as per compromise, the present petition be accepted and the orders passed by the Courts below be set aside and the petitioner be acquitted of the offence charged with.

In view of the statements of the parties, the present revision petition is accepted and the impugned judgments of conviction and order of sentence passed by the Courts below are set aside and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

12.09.2022
P.Seth