

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

129

CRR No. 1496 of 2022 (O&M)

Date of decision :08.09.2022

Radhey Sham @ Sonu

.....Petitioner

VERSUS

Mukesh Kumar

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present:- Mr. Raja Sharma, Advocate, for the petitioner.

Mr. Sachin Kaushik, Advocate, for the respondent.

SANDEEP MOUDGIL, J. (Oral)

CRM No.33405 of 2022

This application has been filed under Section 482 Cr.P.C. for compounding the offences without imposing any costs on the petitioner.

For the reasons mentioned in the application and the fact that petitioner has already compensated the respondent-complainant by paying Rs. 4 Lakhs in the shape of bank draft No.356666 drawn from Punjab National Bank City Jind, Haryana, in terms of compromise/affidavit dated 20.07.2022, application is allowed, as prayed for.

CRM No.25084 of 2022

This application has been filed under Section 482 Cr.P.C., for placing on record Affidavit (Annexure P-1) and exemption from filing the certified copies of grounds of appeal and judgment and order of the JMJC, Panipat.

Allowed as prayed for.

CRR No. 1496 of 2022

The present revision petition has been filed against the judgment dated 05.07.2022 passed by learned Additional Sessions Judge, Panipat and

judgment and order dated 07.08.2019 and 08.08.2019 respectively passed by learned Judicial Magistrate 1st Class, Panipat, convicting and sentencing the petitioner for the offence under Section 138 of Negotiable Instruments Act.

A perusal of the order dated 20.07.2022 shows that the petitioner had agreed to give a bank draft of Rs. 4 Lakhs to complainant-respondent, who will have no objection to set aside the conviction order against the petitioner. A bank draft bearing number 356666 was also handed over to the learned counsel for the complainant-respondent on the said date in lieu of compromise.

Mr. Sachin Kaushik, Advocate, has put in appearance on behalf of respondent and has admitted the factum of compromise between the parties and having received agreed amount of Rs. 4 Lakhs and does not object to the setting aside of the order of conviction against the petitioner on instructions from the complainant-respondent.

In view of the above, as the parties have compromised the matter and complainant-respondent is left with no grouse against the petitioner after receipt of agreed amount, the present petition is allowed and the judgment of conviction and order of sentence dated 07.08.2019 and 08.08.2019, respectively, passed by learned Judicial Magistrate 1st Class, Panipat as affirmed by the appellate Court vide order dated 05.07.2022, is hereby set aside along with judgment of Appellant Court also.

Disposed of accordingly.

08.09.2022
anil

(SANDEEP MOUDGIL)
JUDGE

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