In the High Court for the States of Punjab and Haryana
At Chandigarh

CRR-2980-2018 (O&M)
Date of Decision:-5.12.2022

Sudershan Lal Dureja and another … Petitioners

Versus

Indiabulls Financial Services Limited ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Neeraj Sheoran, Advocate for the petitioners.

Ms. Kiran Bala, Advocate for the respondent.

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GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed by the petitioners/accused assailing judgment dated 2.8.2018 passed by learned Additional Sessions Judge, Gurugram, whereby learned Additional Sessions Judge, Gurugram, while dismissing an appeal filed by the petitioners challenging judgment dated 1.12.2017 and order of sentence dated 6.12.2017 passed by learned Judicial Magistrate 1st Class, Gurugram, has upheld the conviction of the petitioners for offence under Section 138 of Negotiable Instruments Act in respect of dishonour of a cheque for an amount of Rs.56,675/-.

2. During the course of pendency of this petition, the parties were referred to Mediation and Conciliation Center of this Court, wherein the matter was

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amicably resolved amongst the parties and two cheques were given to the complainant/respondent i.e. cheque No.922104, dated 19.9.2018 amounting to Rs.15,000/- and cheque No.922106, dated 19.9.2018, amounting to Rs.70,000/-.

3. Learned counsel representing the respondent/complainant has submitted that pursuant to the compromise, the aforesaid cheques had been received by the respondent/complainant and have been encashed and that the respondent/complainant does not have any objection for acceptance of the instant petition and for setting aside the impugned judgments.

4. In view of the aforestated position, wherein the parties have amicably resolved the matter, the instant petition is allowed and the impugned order dated 2.8.2018 passed by learned Additional Sessions Judge, Gurugram; judgment dated 1.12.2017 and order of sentence dated 6.12.2017 passed by learned Judicial Magistrate 1st Class, Gurugram, are hereby set aside and the petitioners are hereby acquitted of the charges.

5.12.2022 **(Gurvinder Singh Gill)**
pankaj **Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

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