

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(237)

CRR No. 2406 of 2019 (O&M)  
Date of Decision : 24.01.2022

Gulshan Singla

...Petitioner

Versus

State of Haryana and others

...Respondents

(through video conferencing)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Varshit Garg, Advocate for  
Mr. Aayush Gupta, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Mr. Kushagar Goyal, Advocate for respondents No. 2 and 3.

\*\*\*

**Harsimran Singh Sethi J. (Oral)**

**CRM-29083-2019**

Application is allowed, as prayed for.

**CRM-29085-2019**

Present application has been filed for placing on record documents as Annexures P-1 to P-4.

Application is allowed and documents as Annexures P-1 to P-4 are taken on record.

**CRR No. 2406 of 2019**

Present revision petition has been filed impugning the order

dated 13/14.11.2014 passed by the learned trial Court by which the

petitioner has been convicted as well as the order dated 10.09.2019 passed by the lower Appellate Court by which the appeal filed by the petitioner against the conviction has been dismissed. During the pendency of the present revision petition, the parties have settled their dispute. Learned counsel for the petitioner submits that the complainants had filed complaint under Section 138 of the Negotiable Instruments Act, 1881 and now, as the amount required to be paid to the complainant has been paid to him to his entire satisfaction, on the oral request of the petitioner, the allegation/charge may kindly be compounded and the conviction may kindly be set-aside and learned counsel for the petitioner submits that petitioner is also ready to bear the cost for utilizing the precious time of this Court.

Learned counsel appearing on behalf of respondents No. 2 and 3/complainants submits that claim of respondents No. 2 and 3/complainants has already been satisfied by the petitioner to their entire satisfaction and, therefore, they have no objection in case, the charge alleged against the petitioner is compounded.

As per Section 320(6) of the Cr.P.C, the High Court or the Court of Sessions, as the case may be, even while exercising the powers of revision as envisaged under Section 401 of Cr.P.C can compound the offence. In the present case, it is not disputed by respondents No. 2 and 3/complainants that the offence, for which, the petitioner has been charged and convicted, is compoundable. Once, the parties have amicably resolved their dispute and respondents No. 2 and 3/complainants have already stated before this Court that their claim has been satisfied to their entire satisfaction and the learned Counsel appearing for respondents No. 2 and

3/complainants raises no objection to the prayer of the petitioner for compounding the offence, it is a fit case, where this Court needs to exercise the jurisdiction of compounding of offence. Accordingly, keeping in view the facts and circumstances of this case noticed hereinbefore, the present revision petition is accepted and the offence, for which, the petitioner is charged and convicted, is compounded and the judgment dated 13/14.11.2014 passed by the learned Judicial Magistrate Ist Class, Hisar, convicting the petitioner of the allegations as well as order dated 10.09.2019 passed by the learned additional Session Judge, Hisar are set aside and the accused is ordered to be acquitted subject to payment of cost of Rs. 15,000/- to be deposited with Prabh Aasra (Unit of ) u/o Universal Disabled Care Taker Social Welfare Society, (who are maintaining Orphans) in Bank A/c No. 014894600000970, SCO 151-152, Sector 9-C, Chandigarh or A/c No. 100035657241 of IndusInd Bank, Sector-54, Phase-II, Mohali Branch.

**CRM-29086 of 2019**

Application has become infructuous keeping in view the order passed in the main criminal revision petition.

**January 24, 2022**  
*kanchan*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes*

*Whether reportable : No*