

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

227

**CRR-1671-2021 (O&M)
Date of Decision :10.01.2022**

Jagjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Buta Singh Bairagi, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. B.S. Bhalla, Advocate for respondent No.2.

Harsimran Singh Sethi, J. (Oral)

In the present criminal revision petition, the challenge is to order dated 29.01.2020 passed by the Additional Chief Judicial Magistrate, Moga by which, the petitioner was convicted for violating the provisions of the Negotiable Instruments Act, 1881 and was sentenced to undergo rigorous imprisonment for a period of six months and also to order dated 26.11.2021 passed by the Additional Sessions Judge, Moga by which, the appeal of the petitioner against the order of conviction, was dismissed.

Learned counsel for the petitioner argues that during the pendency of the present criminal revision petition, the parties have entered into a compromise and the petitioner has already discharged his liability to the entire satisfaction of the respondent No.2 as per the said compromise

therefore, the conviction ordered by the Court below may kindly be reconsidered, keeping in view the facts and circumstances that exists as of now. Learned counsel for the petitioner prays that his oral prayer for compounding the offence may kindly be accepted.

Learned counsel appearing for the respondent No.2 submits that the liability has already been discharged by the petitioner to the satisfaction of the respondent No.2 and he has no objection, in case, the offence, for which, the petitioner has been charged and convicted 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 the respondent No.2 that the offence, for which, the petitioner has been charged and convicted is compoundable. Once, the parties have amicably resolved their dispute and the respondent has already stated before this Court that the petitioner has discharged his liability to their satisfaction and the learned Counsel appearing for the respondent No.2 raises no objection to the prayer of the petitioner for compounding the offence, it is a fit case, where this Court needs to exercise its jurisdiction of compounding of offence. Accordingly, keeping in view the facts and circumstances noticed hereinbefore, the present revision petition is accepted and the offence, for which, the petitioner is charged/convicted is compounded and the judgment dated 29.01.2020 passed by the Additional Chief Judicial Magistrate, Moga and judgment dated 26.11.2021 passed by the Additional Sessions Judge, Moga are set aside and the accused is ordered to be acquitted.

CRMs-42761-42762-2021

As the main case has already been allowed, these applications rendered infructuous.

January 10, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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