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CRR No.1797 of 2021(O&M)

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

CRR No.1797 of 2021(O&M)

Date of Decision:- 25.05.2022

Sadhu Singh

....Petitioner

Vs.

The Mansa Central Co-Operative Bank Limited

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. H.S. Dhandi, Advocate
for the petitioner.

Mr. Nagender S. Vashist, Advocate
for the respondent-Bank.

KARAMJIT SINGH, J.(Oral)

Petitioner has filed the present petition against the judgment dated 15.11.2021 passed by the Court of Additional Sessions Judge, Mansa, vide which the appeal filed by the petitioner against the judgment and order dated 12.11.2016 passed by the court of Judicial Magistrate 1st Class, Mansa, whereby the petitioner was convicted and sentenced R.I. for two years along with fine of Rs.10,000/- and in default thereof to further under R.I. for 30 days under Section 138 of Negotiable Instruments Act was dismissed.

On the last date of hearing (10.03.2022), counsel for the respondent-Bank admitted the fact that the entire settlement amount has already been paid by the petitioner and now nothing is due against the petitioner. He also admitted the correctness of No Dues Certificate dated 03.03.2022 issued by respondent-Bank in favour of the petitioner. The counsel for the respondent-Bank has stated that the respondent-Bank has no objection if the draft worth Rs.3,70,000/- dated 20.12.2021 deposited by the petitioner with the Registry of this Court is returned to the counsel for the petitioner. At the same time, the Court directed the petitioner to deposit the compounding fees of Rs.10,000/- with the District Legal Services Authority, Mansa. The receipt regarding the same has been produced today by the counsel for the petitioner and same is taken on record.

Today also both the counsel admitted that the entire dispute has been settled by the parties. The counsel for the respondent pleaded no objection if the offence punishable under Section 138 N.I. Act is compounded and the present petition is allowed and the above said impugned judgments are set aside.

In view of the above, as the matter has been compromised between the parties and the entire amount including the compounding charges have been paid by the petitioner, the offence under Section 138 N.I. Act is hereby ordered to be compounded in the present case.

Resultantly, the present petition is allowed and impugned judgments dated 15.11.2021 and 12.11.2016 passed by the Court of Additional Sessions Judge and the Court of Judicial Magistrate 1st Class, Mansa respectively are hereby set aside and petitioner stands acquitted.

The present petition stands disposed of accordingly, so also the pending miscellaneous application(s), if any.

25.05.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No