

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

**CRM-M-14670-2023**

**Date of Decision: 23.03.2023**

**Gajamper Ali Khan .....Petitioner**

**Versus**

**Mustqeen Ahmad and another ..... Respondents**

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

...

Present: Mr. Ranbir Singh Rawat, Advocate  
for the petitioner.

...

**MANJARI NEHRU KAUL, J. (Oral)**

The present petition under Section 482 Cr.P.C. has been filed for compounding the offence and quashing of Complaint No. 4138/2015 of Negotiable Instruments Act (hereinafter referred to as the 'NI Act'), judgment and order dated 13.12.2017 passed by the JMIC, Chandigarh, whereby the petitioner was convicted under Section 138 of NI Act and sentenced to undergo rigorous imprisonment for one year, order dated 07.09.2021 passed by the Additional Sessions Judge, Chandigarh, whereby the petitioner was declared a Proclaimed Offender and judgment dated 02.03.2022 whereby Crl. Appeal No. 23/2018 of the petitioner was dismissed, on the basis of compromise dated 31.01.2023 (Annexure P5) effected between the parties.

Learned counsel for the petitioner submits that subsequent to the conviction of the petitioner, the parties have amicably resolved their dispute and in the circumstances, he prays that the petition be

allowed and the matter be compounded under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as, 'the Act').

Notice of motion.

At this stage, Mr. Sumeet Sharma, Advocate, has put in appearance on behalf of respondent No.1 and filed his Power of Attorney. The same is taken on record.

Learned counsel for respondent No.1 does not dispute the submissions made by the counsel opposite that subsequent to the conviction of the petitioner for offence under Section 138 of the Act, for which he was sentenced to undergo imprisonment for one year, the parties have amicably resolved their dispute.

In the circumstances, the instant petition is allowed. The offence under Section 138 of the Act is compounded and the Complaint No. 4138/2015 of NI Act, judgment and order dated 13.12.2017 passed by the JMIC, Chandigarh, order dated 07.09.2021 passed by the Additional Sessions Judge, Chandigarh as well as judgment dated 02.03.2022 passed in CrI. Appeal No. 23/2018 are quashed.

23.03.2023

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( MANJARI NEHRU KAUL )  
JUDGE

**Note:** Whether speaking/reasoned  
Whether Reportable:

Yes / No

Yes / No