

2023:PHHC:057554

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

237

**CRR-439-2019 (O&M)
Date of Decision.:24.04.2023**

**M/s Muskan Enterprises and Another
Vs.
State of Punjab and Others**

**Petitioners

Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Mohit Kakkar, Advocate for
Mr. Bhupinder Ghai, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Jashan Chopra, Advocate for
respondent Nos.2 & 3.

DEEPAK GUPTA, J. (ORAL)

Petitioner was convicted vide judgment dated 11.12.2014 passed by learned Sub Divisional Judicial Magistrate, Amloh in complaint No.106 of 17.07.2012, under Section 138 of the Negotiable Instruments Act and was sentenced to undergo imprisonment for a period of one year and to pay a fine of ₹1,500/-. Appeal filed against the said judgment of conviction and order of sentence was dismissed by learned Additional Sessions Judge, Fatehgarh Sahib on 07.01.2019. The aforesaid conviction, maintained by the Appellate Court, has been challenged by the petitioner by way of this revision.

Matter has since been compromised between the parties.

Report from the Mediation Centre has been received as per which parties have settled the dispute. Settlement agreement dated 25.01.2023 has been placed on record.

It is stated by learned counsel for the respondents that in terms of the settlement, respondents-complainant have received the entire amount and nothing is due.

In view of the above, the impugned judgment of conviction dated 11.12.2014 passed by learned Sub Divisional Judicial Magistrate, Amloh and the judgment dated 07.01.2019 passed by Learned Additional Sessions Judge, Fatehgarh Sahib as referred above, are hereby set aside, since offence under Section 138 of the Negotiable Instruments Act is compoundable. Compounding can be allowed at any stage of the proceedings. Petitioner stands acquitted within the meaning of Section 320(8) Cr.P.C.

Disposed of.

April 24, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No