

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

262

**CRR-972-2022
Date of decision : 05.12.2023**

Bhudeep Kumar

..... Petitioner

versus

Ved Parkash

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Shakti Mehta, Advocate
for the petitioner.

Mr. Vipul Sachdeva, Advocate
for the respondent.

PANKAJ JAIN, J. (Oral)

1. Petitioner is a convict under Section 138 of the Negotiable Instruments Act.

2. On 19.05.2022, following order was passed:-

“Present revision petition has been filed by the petitioner against judgment dated 18.9.2019 passed by the Court of SDJM, Samana whereby the petitioner was convicted and sentenced to imprisonment under Section 138 of Negotiable Instruments Act and judgment dated 17.3.2022 passed by the Additional Sessions Judge, Patiala whereby the appeal filed by the petitioner against the aforesaid judgment has been dismissed.

Being aggrieved, the petitioner has filed the present revision petition. Along with petition, an application under Section 397 (1) Cr.P.C. seeking suspension of sentence has been filed.

Notice of motion.

2023:PHHC:156190

Mr. Vipul Sachdeva, Advocate, accepts notice on behalf of Geeta Rani and Uma Rani who are stated to be legal heirs of respondent-complainant/Ved Parkash, who died on 19.8.2021. Copy of death certificate of Ved Parkash along with copy of Aadhar cards of Geeta Rani and Uma Rani are placed on record.

Counsel for the respondent who is representing legal heirs of Ved Parkash submits that the compromise has been effected between the parties and the petitioner has paid entire settled amount relating to cheque in question and now nothing is due against the present petitioner.

As per parties, the dispute has been settled for ₹ 75,000/-. Now the petitioner is directed to deposit compounding fee worth ₹ 5000/- with High Court Legal Services Committee by the next date of hearing.

Now be listed on 24.8.2022.

In the meantime, sentence of the petitioner is suspended subject to the satisfaction of CJM/Duty Magistrate.”

3. Counsels are *ad idem* that the petitioner has paid Rs.75,000/- i.e. the settlement amount to the respondent and further compounding fee of Rs.5,000/- stands deposited with High Court Legal Services Authority. The receipt thereof has been produced by the counsel appearing the petitioner.

4. In view of above, the present petition is allowed. Offence is ordered to be compounded.

(PANKAJ JAIN)
JUDGE

05.12.2023

Dinesh