

242

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRR-3992-2016 (O&M)
Date of Decision: 10.08.2023

SURAT PARTAP SINGH

Petitioner

Versus

STATE OF HARYANA AND ANOTHER

Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. H. S. Randhawa, Advocate,
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Deepak Jindal, Advocate
for respondent No.2.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed by the petitioner, who was convicted by the trial Court under Section 138 of the Negotiable Instruments Act. The said judgment of conviction was assailed by the petitioner before the lower Appellate Court, which was affirmed. Thereafter, the present revision petition has been filed.

2. During the course of proceedings before this Court, the matter was sent to the Mediation and Conciliation Centre of this Court, in which the matter was settled between the parties amicably. A report has been received from the Mediation and Conciliation Centre, in which various terms and conditions have

been stated with regard to the payment of amount within a stipulated time.

3. Learned counsel for the petitioner has submitted that there was a total compensation amount of Rs.12,00,000/- with 9 per cent interest, which comes out to be about Rs.17,00,000/-. He has submitted that the entire amount has since been paid to the complainant-respondent No.2.

4. Learned counsel for respondent No.2 has submitted that it is correct that the matter was compromised between the parties in the Mediation and Conciliation Centre of this Court and the entire amount has been paid to the complainant-respondent No.2 and there is nothing due now from the petitioner. He further submitted that since it was the case under Section 138 of the Negotiable Instruments Act, he does not wish to press his complaint now and he has no objection in case the judgment of the learned trial Court, convicting the petitioner as well as the judgment of the lower Appellate Court, affirming the judgment of the trial Court, are set aside.

5. Learned counsel for the petitioner has stated that the petitioner is already on bail and since the subject matter of the case pertains to Section 138 of the Negotiable Instruments Act and the entire amount has been paid, therefore, both the aforesaid impugned judgments may be set aside.

6. I have heard the learned counsel for the parties.

7. This Court is of the view that the matter has already been settled between the parties in a complaint under Section 138 of the Negotiable Instruments Act and statements have been given by learned counsel for the parties in this regard. Therefore, it will be in the interest of justice to set aside both the impugned judgments in this regard since no useful purpose will be served in continuing this case.

8. Consequently, the present revision petition is allowed. The impugned judgment of conviction dated 03.12.2015 and order of sentence dated 08.12.2015 passed by the learned trial Court and the judgment passed by the learned lower Appellate Court on 06.10.2016, are hereby set aside.

10.08.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No