

Daily Lok Adalat
501 (1)

CRR-735-2015

Man Singh Vs. Som Nath

Present:- Mr. Ankit Aggarwal, Advocate for
Mr. Pankaj Bali, Advocate along with
Man Singh, petitioner in person.

Mr. Raghuvir Tejpal, Advocate for respondent No.1.

The present revision petition is by petitioner-Man Singh against the conviction and sentence under Section 138 of the Negotiable Instruments Act, 1881.

The facts of the case are that the petitioner was convicted under Section 138 of the Negotiable Instruments Act, in a complaint filed by Som Nath-complainant qua dishonouring of cheque No.376035 dated 12.12.2007 of Rs.60,000/- drawn on Punjab National Bank, Branch Thanesar, Kurukshetra and sentenced to undergo rigorous imprisonment of six month along with compensation to the tune of Rs.60,000/- i.e. the amount of the cheque of Rs.60,000/- by Additional Chief Judicial Magistrate, Kurukshetra vide order of conviction dated 24.07.2013 and order of sentence dated 25.07.2013. The appeal preferred by him against the aforesaid judgment and order was dismissed on 12.01.2015, , by the Additional Sessions Judge, Kurukshetra.

The petitioner has preferred the present revision petition before this Hon'ble Court. In the revision petition, he was granted interim bail on 28.08.2015.

The matter has been referred to this Forum for the purpose of settlement.

The matter has been settled and the parties have already filed a compromise deed dated 12.09.2023 as Exb.C-1 relating to the said settlement to the effect that the first party has satisfied the claim of the complainant and nothing is due towards the accused Man Singh-petitioner and he has no objection if the accused stands acquitted from the conviction on the basis of compounding and the parties would be bound by the said compromise.

Learned counsel for the complainant-Som Nath has made a categorical statement endorsing the settlement having no objection for compounding the case.

The matter has been compromised between the parties. In background of the said facts, we allow the parties to compound the offence. The natural corollary is that conviction and sentence, so recorded by the trial Court and upheld by the Appellate Court to petitioner-Man Singh is set aside and he stands acquitted of the charges levelled against him.

Accordingly, the revision petition is disposed of in the afore-stated terms.

Copy of the order and statement be given to learned counsel/parties.

(J.C. VERMA)
PRESIDENT

15.09.2023
Atul

(ARVIND KUMAR)
MEMBER