

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

CRR-1473-2023
Decided on: 23.08.2023

Rahul Singh

.... Petitioner

Vs.

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr.S.S. Nain, Advocate, for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Anas Ahmed, Advocate, for respondent No.2

DEEPAK GUPTA, J.

In criminal complaint bearing CIS No.NACT/304 of 2018 (CNR No.HRPP03-001207-2018) filed by respondent No.2-Dharamvir, the petitioner-Rahul Singh was convicted under Section 138 of the Negotiable Instruments Act, 1881 [for short 'the NI Act'] vide judgment dated 25.11.2022 passed by Id. JMJC, Panipat and vide a separate order dated 29.11.2022, he was sentenced to undergo 4 months rigorous imprisonment and to pay compensation of ₹5 lakh along with interest @ 6% per annum from the date of issuance of the cheque till realization.

2. Against the aforesaid judgment of conviction and order of sentence, appeal filed by the petitioner-Rahul Singh was dismissed by the Court of Id. Additional Sessions Judge, Panipat on 26.05.2023.

3. Against the aforesaid concurrent findings of conviction, the present criminal revision has been filed.

4. It was informed to this Court that parties have resolved their dispute amicably and amount in question already stands paid. Said fact was duly admitted by ld. counsel for respondent No.2-complainant. Parties were directed to appear before the trial Court/Duty Magistrate to get their statements recorded regarding compromise, vide order dated 15.06.2023.

5. Report dated 02.08.2023 of Ld. JMIC, Panipat has been received, revealing that parties have effected the compromise amicably and without any pressure.

6. Offence under Section 138 of the NI Act is compoundable in nature. Compounding can be allowed at any stage. Since parties have settled their dispute amicably, therefore, both the impugned judgments of conviction and order of sentence, as passed by Courts below, are hereby set aside. On account of the offence having been compounded, the petitioner-accused stands acquitted within the meaning of Section 320(8) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

23.08.2023

Vivek

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No