

105 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:096486  
CRR-1700-2023 (O&M)  
Date of Decision: July 28, 2023

Sudesh Sharma

...Petitioner

Versus

Anita Devi

...Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Mr. Ghulam Nabi Malik, Advocate for the petitioner.

**DEEPAK GUPTA, J.(Oral)**

Petitioner was convicted by learned Judicial Magistrate 1<sup>st</sup> Class, Chandigarh, vide judgment dated 24.10.2017 under Section 138 of the Negotiable Instruments Act, 1881 in a Criminal complaint bearing No.3191 of 2015, titled as *“Anita Devi v. Sudesh Sharma”* and was sentenced to undergo simple imprisonment for a period of 1 year and to pay compensation equivalent to the cheque amount i.e. ₹5,00,000/-. The appeal against the said judgment of conviction and order of sentence was dismissed by the Court of learned Addl. Sessions Judge, Chandigarh on 13.07.2023.

By way of this revision petition, the aforesaid conviction and sentence as awarded by the Courts below, have been challenged.

It is contended by learned counsel for the petitioner that the matter has since been compromised between the parties and so necessary permission be grant to compound the offence and impugned judgment of conviction and order sentence passed by the Courts below be set aside.

Learned counsel for the petitioner has placed on record affidavit dated 24.07.2023 furnished by the complainant-respondent Anita Devi in this regard.

Notice of motion.

Mr. Sudager Singh, Advocate for Mr. Gur Adesh Singh, Advocate has accepted notice on behalf of respondent-complainant. Learned counsel for the respondent-complainant concedes the factum of compromise. It is further conceded that the entire payment as settled between the parties has been received by the respondent-complainant and nothing is due. He further submits that respondent-complainant has no objection, in case the present petition is accepted.

Compounding is permissible at any stage.

In view of the aforesaid circumstances, the impugned judgment of conviction and order of sentence as passed by the Courts below, are hereby set aside. Petitioner stands acquitted within the meaning of 320(8) Cr.P.C.

The present revision petition stands disposed of.

**July 28, 2023**

sarita

**(DEEPAK GUPTA)**

**JUDGE**

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No