

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.245-a

CRM-M-51403-2022 (O&M)
Date of decision : 17.05.2023

Manjit Singh and another

..... Petitioners

VERSUS

Jagtar Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Atul Goyal, Advocate and
Mr. Maninder Bharthy, Advocate, for the petitioners.

Mr. Jeevan Gautam, Advocate, for the respondents.

SUDHIR MITTAL, J. (Oral)

This petition has been filed for quashing of complaint and summoning order under Section 138 of the Negotiable Instruments Act, 1881 judgment of conviction and order of sentence dated 29.04.2016 passed by Judicial Magistrate, First Class, Ludhiana sentencing the petitioners to undergo RI for one year and to pay fine of Rs.2,000/- each and in default thereof to further undergo SI for one month as well as judgment dated 04.10.2022, upholding the conviction and sentence.

Pursuant to order dated 14.02.2023, report dated 17.03.2023 has been received from the Judicial Magistrate, 1st Class, Ludhiana, according to which, the statements of the parties have been recorded and the compromise is genuine and has been arrived at between them without any threat, pressure or coercion.

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In view of the above, the petition is allowed. Complaint and summoning order under Section 138 of the Negotiable Instruments Act, 1881 judgment of conviction and order of sentence dated 29.04.2016 passed by Judicial Magistrate, First Class, Ludhiana sentencing the petitioners to undergo RI for one year and to pay fine of Rs.2,000/- each and in default thereof to further undergo SI for one month as well as judgment dated 04.10.2022, upholding the conviction and sentence alongwith all consequential proceedings having arisen therefrom, is quashed qua the petitioners.

(SUDHIR MITTAL)
JUDGE

17.05.2023
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes
No