

CRR-3224-2019 (O&M)	Neutral Citation No.2023:PHHC:145943
CRR-3232-2019 (O&M)	Neutral Citation No.2023:PHHC:145944
CRR-3233-2019 (O&M)	Neutral Citation No.2023:PHHC:145945

266 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: November 16, 2023

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|-----------------------------------|---------------------|
| 1. | CRR-3224-2019 (O&M) |
| Sanjay Shinde | ...Petitioner |
| Versus | |
| Aashutosh International Pvt. Ltd. | ...Respondent |
| 2. | CRR-3232-2019 (O&M) |
| Sanjay Shinde | ...Petitioner |
| Versus | |
| Aashutosh International Pvt. Ltd. | ...Respondent |
| 3. | CRR-3233-2019 (O&M) |
| Sanjay Shinde | ...Petitioner |
| Versus | |
| Aashutosh International Pvt. Ltd. | ...Respondent |

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Hitesh Ghai, Advocate for the petitioner.

Mr. Johny, Advocate for
Mr. Arvind Kashyap, Advocate for the respondent.

DEEPAK GUPTA, J.(Oral)

Conviction of petitioner Sanjay Shinde under Section 138 of the Negotiable Instruments Act, 1881 was recorded in three different complaints as per the following details:-

Complaint Nos.399 to 401, all titled as *“Aashutosh International Private Limited v. Punia Alloys Private Limited and others”* decided on 06.04.2019 by learned Sub Divisional Judicial Magistrate, Amloh. The appeal against conviction and sentence was dismissed by the Addl. Sessions Judge, Fatehgarh Sahib on 27.09.2019.

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Against the aforesaid conviction as recorded in three complaint cases and as affirmed by the Appellate Court, the present three revisions have been filed.

Before this Court, it is informed that mater has since been compromised amongst the parties.

It is stated by learned counsel for the petitioner that total amount pertaining to all the three cheques was ₹17 lacs, but the matter has been settled for an amount of ₹10 lacs. Out of ₹10 lacs, an amount of ₹3,49,000/- + ₹3,50,000/- has been already been paid and balance amount of ₹3,01,000/- has been paid by way of demand draft bearing No.036059, dated 10.11.2023 for an amount of ₹3,01,000/-, which is drawn at IndusInd Bank, Mumbai.

Learned counsel for respondent-complainant concedes the factum having regard to receipt of balance amount of ₹3,01,000/-.

Learned counsel for the respondent-complainant also submits that the entire amount, as per settlement has been received and nothing has been left to be paid. Therefore, he has no objection, if all the three revisions are allowed and the petitioner is acquitted of the charges on account of compounding of the matter between the parties. The original demand draft amounting to ₹3,01,000/- has been handed over to the counsel for the respondent-complainant, whereas the copy thereof has been placed on record.

In view of the aforesaid statement of both the parties, particularly the statement of counsel for the respondent-complainant, the convictions of the petitioner recorded in all the complaint cases and as

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affirmed by the Appellate Court, are hereby set aside on account of compounding the matter. The effect of the said compounding will be acquittal of the petitioner in all the three cases, in terms of Section 320(8) Cr.P.C.

All the aforesaid three revision petitions stand disposed of.
As such, the accompanied applications also stand disposed of.

Photocopy of this order be placed on the connected case files.

November 16, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No