

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

CRM-M-214-2019

Date of decision:27.03.2023

Brij Mohan Garg

...Petitioner

versus

Sardool Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None.

NAMIT KUMAR, J. (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of order dated 27.11.2018 passed by the learned Additional Sessions Judge, Gurdaspur, whereby the Ld. First Appellate Court has ordered to deposit an amount of Rs.1,50,000/- being part of compensation awarded by Ld. Trial Court in an appeal filed by the petitioner against the order passed by Ld. JMIC, Batala in which the Ld. Lower Court had convicted the appellant-petitioner in a complaint under Section 138 of NI Act CNR no.PBGDA1-66-2008 complaint's registration No.612/2014 dated 26.07.2008 filed by the respondent against the petitioner.

None has put in appearance on behalf of the petitioner on 22.03.2023 and the matter was adjourned for today. Today also counsel for the petitioner is not present.

The main appeal has been disposed of by the National Lok Adalat presided over by the learned Additional Sessions Judge, Gurdaspur vide order dated 12.11.2022 in the following manner:-

11. *The offence under Section 138 of Negotiable Instruments Act, 1881 is compoundable in nature. The parties thus have compromised the matter for the sake of future good relations between the parties*

and also given the nature of the dispute as well, offence are allowed even to be compounded in view of the compromise and as a sequel to that present appeal stands allowed. The judgment of conviction and order of sentence dated 25.10.2018 is hereby set aside and the appellant-accused stands acquitted of the charge framed against him. The compensation amount of Rs.1,50,000/- is ordered to be released to appellant/accused. Lower court record along with copy of judgment be sent back. Appeal file be consigned to record room.

Since the main appeal itself has been disposed of, therefore, the instant petition has been rendered infructuous and the same is disposed of accordingly.

27.03.2023

Parveen kumar

**(NAMIT KUMAR)
JUDGE**

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