

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.380 of 2023

Arising Out of PS. Case No.-493 Year-2007 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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NIRAJ KUMAR SINGH son of Brij Kishore Singh Village- Gheura Ps-
Risiup Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Vijay Kumar Singh son of Late Kamta Singh Mohalla- PHED Colony
Aurangabad Ps- Aurangabad Town Dist- Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Samrendra
For the Respondent/s	:	Mr.Parmanand Kumar
For the State	:	Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-06-2024 Heard the parties.

2. This application has been filed on behalf of the petitioner for setting aside the order dated 26.04.2019 passed in Cr. Appeal No. 21/2015/01/2019 by the Court of learned Additional District and Sessions Judge-X, Aurangabad.

3. The petitioner faced trial in complaint case no. 493 of 2007 under Section 138 of the Negotiable Instruments Act and was convicted and sentenced to six months and the compensation of Rs. 14 lakhs was directed to be paid to the complainant.

4. The complainant and the petitioner entered into a compromise and a compromise petition was filed on 23.12.2020.



5. This Court, vide order dated 23.04.2024 has directed that the petitioner as well as the O.P. No. 02 will appear in this Court personally. The petitioner Shri Niraj Kumar Singh is present in the Court in compliance of this Court's order.

6. On instruction, learned counsel for the petitioner Shri Rakesh Kumar Samrendra submits that the complainant is suffering from a serious ailment and therefore he has not appeared today.

7. Since, the matter has been settled though after the order of conviction, the Court below did not considered the compromise petition filed by the petitioner and the complainant.

8. The case of cheque bounce can be settled by the parties at any stage i.e. at the appeal stage, revisional stage or at the stage of pendency of the matter before the Hon'ble Supreme Court. No useful purpose will be served by keeping this case pending.

9. In these circumstances, this application is allowed.

10. Accordingly, the order dated 26.04.2019 passed in Cr. Appeal No. 21/2015/01/2019 by the Court of learned Additional District and Sessions Judge-X, Aurangabad is hereby set aside.



11. In case the opposite party no. 02 i.e. the complainant has any grievance then he may file any application subsequently in this Court.

(Sandeep Kumar, J)

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