



**CRM-39954-2024 in/and
CRR-207-2024 (O&M)**

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**CRM-39954-2024 in/and
CRR-207-2024 (O&M)
Date of decision : October 03, 2024**

Chander Parkash GuptaPetitioner
Versus

Vijay Kumar SinglaRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Tejinder Pal Singh, Advocate, for the petitioner
Mr. HS Randhawa, Advocate for the respondent

KULDEEP TIWARI,J. (ORAL)

CRM-39954-2024

1. Learned counsel for the petitioner prays for withdrawal of the present application. Prayer is allowed.
2. CRM-39954-2024 is dismissed as withdrawn.

CRR-207-2024

1. Through the instant revision petition, challenge is thrown to the judgment of conviction dated 10.10.2017, and order of conviction dated 11.10.2017, passed by the learned trial court concerned, whereby the petitioner has been sentenced to undergo imprisonment for the period of two years, and to pay the double of the cheque amount, and further he was



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directed to pay the compensation of Rs 1,50,00,000/- to the complainant and judgment dated 24.1.2024 passed by the learned appellate court concerned, whereby, the statutory appeal filed by the petitioner stands dismissed.

2. The Co-ordinate Bench of this Court, vide order dated 9.2.2024, the passed following order :-

“Mr. Sartej Singh Narula, Advocate, learned counsel for the petitioner submitted that the matter has been amicably resolved amongst the parties and that it has been agreed that the petitioner shall pay an amount of Rs.16.5 lakhs by way of demand draft favouring the respondent/complainant at the time of furnishing bail bonds/surety bonds, in case this Court suspends the sentence of imprisonment of the petitioner, and the remaining amount of Rs. 32.5 lakhs shall be paid by the petitioner by way of 7 installments i.e. 6 monthly installments of Rs.5 lakhs and 7th installment of Rs.2.5 lakhs commencing from 15.3.2024 and that the petitioner shall himself transmit the said amount into the bank account of the complainant through RTGS/NEFT/IMPS etc.

The respondent/complainant - Vijay Kumar Singla is present in person alongwith Mr. Preetinder Singh Ahluwalia, Advocate and it has been stated that the aforesaid offer as made by Mr. Sartej Singh Narula, Advocate, on behalf of petitioner is acceptable to him.

Having regard to the aforestated position, wherein it appears that both the parties have amicably resolved



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the matter, the matter is adjourned to 1.4.2024.

Meanwhile, the substantive sentence of imprisonment as imposed upon the petitioner shall remain suspended subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petitioner shall, however, be bound by the offer, which has been made today before this Court.

The aforesaid arrangement as has been stated and agreed by both the learned counsel on behalf of the parties shall be full and final settlement of the entire dispute not only with regard to the instant complaint but also with regard to the complaint, which has been filed by the petitioner against the complainant's counsel, which the petitioner shall unconditionally withdraw.”

3. Learned counsel for the respondent submits that in deference to the directions issued vide order dated 9.2.2024, the entire disputed amount has been paid, but the complaint filed against the counsel for the complainant is yet to be withdrawn, which fact is also reflected in order dated 23.9.2024. However, the learned counsel for the petitioner, submits that an application has been moved for withdrawal of the complaint, against the complainant's counsel, and further undertakes that the complaint will be withdrawn.

4. Since now the matter has been fully compromised between the parties, and the disputed amount has also been paid, and the learned counsel for the complainant has no objection, if the present revision petition is allowed, this Court deems it appropriate to allow the instant petition.



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5. The Hon'ble Supreme Court in *Shakuntla Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63*, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”

6. Consequently, the instant revision petition is **allowed**, and, the petitioner is **acquitted** of the charges/notice of accusation framed against him. The impugned verdict of conviction datged 10.10.2017 and order of sentence dated 11.10.2017, as passed by the learned Judicial Magistrate 1st Class, Hisar is set aside. Moreover, the impugned verdict dated 24.1.2024, whereby, the learned Sessions Judge, Hisar had upheld the conviction of the petitioner, is also set aside.

7. It is made clear that in case the petitioner failed to withdraw the complaint filed against the counsel for the complainant/respondent, the complainant is at liberty to revive the instant revision petition.

October 03, 2024

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No