

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(113)

CRR-522-2024 (O&M)
Date of Decision:-14.03.2024

Suchitra Gagneja
.....Petitioner

Versus

Vijay Sharma and another
.....Respondents

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Piyush Setia, Advocate
for the petitioner.

ALOK JAIN, J. (Oral)

CRM-11827-2024

1. The present application has been filed under Section 5 of the limitation Act, 1963 read with Section 482 Cr.P.C. for condonation of delay of 37 days in filing the present revision petition.
2. For the reasons recorded in the application, the same stands allowed and the delay of 37 days in filing the revision petition stands condoned.

CRM-11828-2024

1. The present application has been filed under Section 482 Cr.P.C for placing on record the copy of affidavit, as Annexure P-1.
2. Application is allowed as prayed for.
3. Annexure P-1 is taken on record, subject to all just exceptions.

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CRM-11830-2024 & CRR-522-2024

1. The present application has been filed under Section 320 (6) Cr.P.C. read with Section 147 of the Negotiable Instruments Act, 1881 for granting leave to the parties to compound the offence under Section 138 of the Negotiable Instruments Act, 1881.

2. For the reasons recorded in the application, the same stands allowed.

3. The present revision petition has been filed against the order of conviction dated 14.07.2022 passed by the learned trial Court, whereby, the petitioner has been convicted under Section 138 of NI Act, 1881 and has been sentenced to undergo imprisonment for 06 months along with compensation of Rs. 85,000/- & in default of payment of compensation, to undergo imprisonment for one month and against the dismissal of the appeal by the First Appellate Court.

4. Learned counsel for the petitioner submits that the parties have compromised the matter on 07.03.2024 and have prayed that the provisions of Section 147 of NI Act be invoked.

5. Notice of motion.

6. Mr. Siddharth Attri, AAG, Punjab on the asking of the Court accepts notice on behalf of respondent/State.

7. Mr. Chirag Girdhar, Advocate appears and accepts notice on behalf of respondent No. 1 and files his *Vakalatnama* in Court today, which is taken on record and has stated that he has no objection if the present revision is allowed and as the offence is compoundable, subject to the fact that the petitioner has not been declared as proclaimed offender.

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8. In light of the above, the present revision petition stands disposed of and the offence under Section 138 of NI Act stands compounded by invoking the provisions of Section 147 of NI Act, hence, the judgment dated 14.07.2022 passed by the Judicial Magistrate 1st Class, Abohar is hereby set aside.

CRM-11829-2024

1. In light of the order passed in the main revision, the application *qua* suspension of sentence does not survive and the same stands dismissed as rendered infructuous, however, the petitioner be released hence forth.

(ALOK JAIN)
JUDGE

March 14, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No