



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

280/1

**CRR-853-2019 (O&M)
Date of Decision:- 08.08.2024**

G.K.S. (GURKIRPAL SINGH) AND ORS

....Petitioner(s)

Versus

M/S ADHUNIK CROP CARE PVT. LTD. AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. A.S. Gill, Advocate for the non-applicants/petitioners
Mr. Vivek Sharma, Advocate for the applicant/respondent.
Mr. Surender Singh, AAG Haryana for respondent No.2.

SANJIV BERRY, J. (ORAL)

CRM-7185-2024

1. This is an application filed under Section 482 CrPC for seeking direction to release the amount deposited by the non-applicants/petitioners in favour of applicant/respondent.
2. Heard on the application.
3. Admittedly, a compromise (Annexure A-4) has been effected between the parties before the Mediation and Conciliation Centre of this Court on 05.09.2023 and in terms thereof, the amount already deposited in the Registry of this Court is to be released in favour of applicant/respondent.



4. Learned counsel appearing on behalf of non-applicants/petitioners has admitted this fact and has no objection if the amount deposited in the Registry is released in favour of applicant/respondent.

5. In view of the statement, the present application is allowed with a direction to the Registry to release the aforesaid amount in favour of the applicant/respondent in accordance with law against proper receipt and identification.

6. Disposed of.

CRM-12584-2024 IN/& CRR-853-2019

1. The instant application i.e. CRM-12384-2024 has been filed under Section 147 of the Negotiable Instruments Act, 1881 read with Section 482 CrPC for compounding of offence, in view of the settlement/agreement dated 05.09.2023 (Annexure A-4) arrived at between the parties in the Mediation and Conciliation Centre of this Court.

2. Learned counsel appearing on behalf of respondent/complainant has admitted the factum of settlement and also the fact that the terms and conditions thereof have been fulfilled and complied with by both the parties. He has paid an amount of Rs.25,000/- by way of a demand draft dated 11.10.2023, re-validated on 08.08.2024, drawn at Punjab National Bank, Sector 40-D, Chandigarh in favour of Gurkirpal Singh in terms of the settlement, which has been accepted by learned counsel for the petitioner. On account of dishonour of cheque No.234114 dated 27.05.2013 amounting to Rs.1,00,000/-, the respondent/complainant had filed a complaint under



Section 138 of the Negotiable Instruments Act, 1881, which was decided vide judgment of conviction dated 23.09.2015 and order of sentence dated 29.09.2015 by the Court of learned Judicial Magistrate First Class, Ambala. Aggrieved petitioners thereafter preferred an appeal against the aforesaid judgment and order, which was however dismissed by the Court of learned Additional Sessions Judge, Ambala vide judgment dated 29.03.2019 passed in Criminal Appeal No.376 of 2015 against which the present revision petition has been preferred by the petitioners.

3. During the course of proceedings, the matter was referred to the Mediation and Conciliation Centre of this Court, where the parties have entered into a settlement on 05.09.2023, copy whereof has been placed on record as Annexure A-4.

4. Learned counsel appearing for the parties have categorically stated at Bar that the parties have complied with the terms and conditions of the settlement. The amount already deposited in the Registry has been ordered to be released in favour of the respondent/complainant vide order passed in CRM-7185-2024.

5. Keeping in view the facts and circumstances that the parties have entered into a settlement vide Annexure A-4 and have complied with the terms and conditions therein, the continuation of the present proceedings will not serve any purpose. Therefore, it is deemed appropriate that the requisite permission for compounding of offence be given.

6. As a consequent, the present application i.e. CRM-12584-2024 seeking compounding of offence is allowed. Accordingly, the impugned



judgment of conviction dated 23.09.2015 and order of sentence dated 29.09.2015 passed by the Court of learned Judicial Magistrate First Class, Ambala and judgment dated 29.03.2019 passed by learned Additional Sessions Judge, Ambala are hereby set aside and the petitioners stand acquitted.

- 7. Petition stands disposed of accordingly.
- 8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

08.08.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |