

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(108)

CRR-834-2024 (O&M)
Date of Decision:-03.05.2024

SUBHASH KUMAR

.....Petitioner

Versus

RAKESH KUMAR AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gaurav Grover, Advocate for the petitioner.

Mr. Mohit Kumar, Advocate for respondent No. 1.

Mr. Tanuj Sharma, AAG, Haryana
for respondent No. 2-State.

ALOK JAIN, J. (Oral)

1. The present revision petition has been filed against the judgment dated 02.04.2024 passed by the learned Additional Sessions Judge, Fatehabad, challenging the judgment dated 11.06.2019 passed by learned Sub-Divisional Judicial Magistrate, Tohana, whereby, the petitioner has been convicted under Section 138 of NI Act, 1881 and has been sentenced to undergo simple imprisonment for one and a half year along with compensation of Rs. 3,35,000/- to be paid to the complainant.

2. Learned counsel for the petitioner submits that in compliance of order dated 30.04.2024, he has instructions that the petitioner has surrendered before the trial Court on 02.05.2024 and is in custody, however, reasserts that the parties have compromised the matter on 25.04.2024 and the same is annexed by way of an affidavit of the complainant as Annexure P-1 with the present revision petition.

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3. Mr. Mohit Kumar, Advocate appearing on behalf of respondent No. 1 has also stated on the same lines.
4. As per Section 147 of the Negotiable Instruments Act, 1882, all offences under the Act are compoundable, hence, considering the fact that the matter has already been compromised between the parties, the present revision petition stands allowed.
5. The judgment dated 02.04.2024 passed by the learned Additional Sessions Judge, Fatehabad and the judgment dated 11.06.2019 passed by learned Sub-Divisional Judicial Magistrate, Tohana are hereby set aside and the petitioner who is in custody is directed to be released forthwith.
6. Disposed of in the aforementioned terms.
7. Pending miscellaneous applications shall stand disposed of.

(ALOK JAIN)
JUDGE

May 03, 2024
Parul

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