

**243 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Neutral Citation No. **2024:PHHC:027432**
CRR-1657-2015
Date of Decision: February 27, 2024

Sushil Kumar

...Petitioner

Versus

Tilak Raj Sharma and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ankit Chaudhary, Advocate for
Mr. Ishaan Pasricha, Advocate for the petitioner.

Ms. Hardeep Gandhi, Advocate for
Mr. Gurmeet Singh, Advocate for respondent No.1.

Mr. Amandeep Singh, DAG, Punjab
for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Petitioner – Sushil Kumar was convicted in a criminal complaint No.1103 of 29.04.2005/26.05.2012, titled as “***Tilak Raj Sharma v. Sushil Kumar***”, under Section 138 of the Negotiable Instruments Act, 1881 (for short ‘the N.I. Act’), vide judgment dated 15.03.2015 of learned Judicial Magistrate 1st Class, Hoshiarpur, and was sentenced to undergo rigorous imprisonment for a period of 01 year and to pay a fine of ₹2,000/- with default sentence.

2. Appeal against the said judgment of conviction and order of sentence filed by the petitioner was dismissed by the Court of Sessions on 21.02.2015.

3. Against the aforesaid concurrent findings, this revision has been filed. It was informed on the last date of hearing that matter has since been compromised and that settled amount has already been paid to respondent No.1-complainant.

4. Ms. Hardeep Gandhi, Advocate appearing as proxy counsel on behalf of Mr. Gurmeet Singh, Advocate for respondent No.1 informs that she is under instructions to inform this Court that the settlement money has been received by respondent No.1 and nothing is due.

5. Offence under Section 138 of the N.I. Act is compoundable in nature. Compounding can be allowed at any stage. Since, the matter has already been settled between the parties and settlement money has been paid by the petitioner to respondent No.1, therefore, this petition is accepted. The impugned judgment of conviction as passed by the Trial Court along with the order of sentence and as affirmed by the Court of Sessions are hereby set aside and the petitioner is deemed to have been acquitted within the meaning of Section 320(2) Cr.P.C.

Disposed of.

February 27, 2024

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No