

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

CRR No.3692 of 2017
Date of decision : 10.01.2024

RAJBIRPetitioner

Versus

LUXMI SONI & ANR ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. John Kumar, Advocate
for the petitioner.

Mr. Ram Bilas Gupta, Advocate
for respondent No.1/complainant.

Mr. R.K. Ambavta, AAG, Haryana
for respondent No.2.

PANKAJ JAIN, J. (ORAL)

Petitioner has filed the instant revision petition impugning the judgment dated 16th of September, 2017 passed by Additional Sessions Judge, Faridabad whereby appeal preferred by the petitioner against the judgment of conviction and order of sentence 11th of February, 2016/15th of February, 2016 passed Judicial Magistrate 1st Class, Faridabad, stands dismissed.

2. Counsel for the petitioner submits that earlier the petitioner has paid an amount of Rs.1,00,000/- to the complainant/respondent No.1 by way of demand draft.
3. Today, another demand draft amounting to Rs.65,000/- has been handed-over to counsel representing the complainant/respondent No.1.

Photocopy thereof has been kept with the record.

3. Counsel for the complainant on instructions submits that the complainant has accepted the same and is ready to compound the offence committed by the petitioner.

4. Similarly Ld. State Counsel also submits 'no objection'.

5. I have heard counsel for the parties and have carefully gone through the records of the case.

6. Sentence of the petitioner already stands suspended vide order dated 11th of October, 2017. The parties have already reconciled their dispute. Counsels for the parties i.e. petitioner as well as complainant are *ad idem* to that extent.

7. Law w.r.t. entertaining of settlement after conviction in the offence punishable under Section 138 of the N.I. Act is no more *res integra*. Trite it is that the settlement between the parties in proceedings under Section 138 of the N.I. Act can be considered and offence can be allowed to be compounded even after conviction.

8. In view of above, the present criminal revision petition is allowed. Impugned judgment of conviction and order of sentence dated 11th of February, 2016/15th of February, 2016 passed by JMJC, Faridabad and that dated 16th of September, 2017 passed by the Addl. Sessions Judge, Faridabad are hereby set aside, offence is ordered to be compounded.

10. Ordered accordingly.

January 10, 2024
Dpr (Pankaj Jain)
Judge

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