

**Date of decision: 19.03.2024**

**...PETITIONER**

V/S

## ...RESPONDENTS

Mr. Vivek Singh, Advocate for  
Mr. Sanyam Batra, Advocate  
for the complainant/respondent No.2.

\*\*\*\*

**HARPREET SINGH BRAR J. (ORAL)**

Prayer in the present revision petition is for setting aside the impugned judgment of conviction dated 23.07.2018 and order of sentence dated 24.07.2018, passed by learned Judicial Magistrate Ist Class, Panipat, in complaint bearing No.NACT-1382 of 2015, whereby, the petitioner has been convicted for the offence under Section 138 of the Act along with the judgment dated 15.09.2021, passed by learned Additional Sessions Judge, Panipat, vide which, the conviction and sentence imposed upon the petitioner was upheld.

2. On 29.01.2024, the following order was passed:-

*“Learned counsel for the petitioner submits that the matter between the parties has been settled amicably due to intervention of certain respectable and close relatives.*

*In view of the statement made by learned counsel for the petitioner, the parties are directed to appear before the Illaqa Magistrate/trial Court within a period of two weeks from today, for recording of their statements with regard to the compromise.*

*The trial Court is directed to submit a report on or before the next date of hearing containing the following information:-*

- (i) Number of persons arrayed as accused in the FIR;*
- (ii) Whether any accused is declared as proclaimed offender?*
- (iii) Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- (iv) Whether the accused persons are involved in any other FIR or not?*

*List on 19.03.2024.”*

3. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the ratio of law laid down in ***Damodar S. Prabhu (supra)*** and ***M/s Meters and Instruments Pvt. Ltd. and another Vs. Kanchan Mehta 2017 (4) RCR (Crl.) 476***, the present petition is allowed. The offence under Section 138 of Negotiable Instruments Act is compounded and the petitioner stands acquitted of the accusation of charges. The impugned judgments of conviction and orders of sentence are set aside. Bail bonds and surety bonds of the petitioner also stand discharged.

**March 19, 2024**  
*manisha*

**(HARPREET SINGH BRAR)**  
**JUDGE**

- |      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |