



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

114

CRR-1353-2024 (O&M)

Date of decision: August 2nd, 2024

Narinder Singh Dehal

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Satraj Singh Toor, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is impugning the judgment dated 08.07.2024 passed by learned Additional Sessions Judge, Panchkula, vide which his appeal has been dismissed while affirming the judgment of conviction dated 01.11.2019 and order of sentence dated 02.11.2019 passed by learned Judicial Magistrate 1st Class, Panchkula, whereby the petitioner has been convicted for offence under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act') and sentenced to undergo simple imprisonment for one year and to pay ₹17,50,000/- + 8% interest as compensation to the complainant.

2. On the last date of hearing, the case was adjourned for today in view of a prayer made by the counsel for the petitioner that the petitioner was willing to sit across the table and amicably settle the dispute between the parties.

3. Learned counsel for the petitioner has submitted that the parties have arrived at an amicable settlement and cheque amount totalling ₹17,50,000/- along with an additional amount of ₹5,00,000/-



has been handed over to complainant/respondent No.2. In support of his submissions, he has placed reliance upon judgment of Hon'ble the Supreme Court in *Criminal Appeal No.2948 of 2024* titled as *'M/s. New Win Export & Anr. Versus A. Subramaniam' 2024 INSC 535* decided on 11.07.2024.

4. Notice of motion.
5. Mr. Naveen Kumar, Advocate, has entered appearance on behalf of the complainant and filed his power of attorney, which is taken on record.
6. Learned counsel for the complainant does not dispute the submissions made by the counsel opposite. It has also not been disputed that the entire dispute between the parties stands settled as per the terms and conditions of the compromise, which has been placed on record today by the learned counsel for the petitioner. He also does not oppose the prayer made by learned counsel for the petitioner for compounding of the offence.
7. In view of the facts and circumstances as enumerated hereinabove and the judgment of Hon'ble the Supreme Court in *M/s. New Win Export & Anr.'s case (supra)*, the instant petition is allowed by compounding the offence. The impugned judgment dated 08.07.2024 passed by learned Additional Sessions Judge, Panchkula, judgment of conviction dated 01.11.2019 and order of sentence dated 02.11.2019 passed by learned Judicial Magistrate 1st Class, Panchkula, are set aside.

August 2nd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned
Whether reportable

:
:

Yes
No