



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

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**CRR No.1833 of 2022 (O & M)
Date of Decision : 24.5.2024**

Rajwinder Singh**.....Petitioner****Versus****Kendriya Vihar Officer Sehkar Makaan Usari Sabha Ltd.****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL****Present: Mr. Naresh Prabhakar, Advocate, for the petitioner**

**Mr. Gautam Dutt, Advocate and
Mr. Rohan Gupta, Advocate, for the petitioner/revisionist**

**Mr. Sahil Mehndiratta, Advocate and
Mr. Santosh Sharma, Advocate, for the respondent**

SANDEEP MOUDGIL, J (ORAL)

The present revision petition has been filed against the judgment dated 31.8.2022, Annexure P-1, passed by Additional Sessions Judge, Ludhiana, whereby the appeal filed by the petitioner has been dismissed while affirming the judgment of conviction and order of sentence, dated 28.3.2017, passed by the Judicial Magistrate Ist Class, Ludhiana, under Section 138 of the Negotiable Instruments Act, 1881, sentencing the petitioner to undergo RI for two years alongwith fine.

2. During the pendency of the present petition, the parties appeared to have compromised the matter. Therefore, matter was referred to the Mediation Centre of this Court and ultimately, the parties have



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compromised the matter.

3. Learned counsel for the petitioner submits that since the matter has been amicably settled between the parties, therefore, the parties may be permitted to compound the offence; and by setting aside the judgments/orders passed by the Courts below, the petitioner be ordered to be acquitted of the charges.

4. Learned counsel appearing on behalf of the respondent does not dispute the compromise arrived at between the parties. He has expressed his no objection for compounding of the offence as prayed by the counsel for the petitioner, and filed affidavit of P.N. Pathak, authorised representative of the respondent Sabha in terms of order dated 24.4.2024, which is taken on record.

5. In view of the above, finding the prayer of the petitioner to be genuine and in view of the fact that the matter has been amicably settled between the parties, this Court finds that it would not be unjustified if the offence, for which the petitioner has been convicted, is permitted to be compounded.

6. Accordingly, the present revision petition is allowed. Necessary permission for compounding of offence under Section 138 of the Negotiable Instruments Act, for which the petitioner was convicted and sentenced by the trial Court, is granted. As a result of compounding, the judgment of conviction and order of sentence dated 28.3.2017, under Section 138 of the Negotiable Instruments Act, 1881, passed by Judicial Magistrate 1st Class, Ludhiana, in Criminal Complaint No.6486/2 of 2010, and the judgment dated 31.8.2022, passed by Additional Sessions

Judge, Ludhiana, are set aside and the petitioner stands acquitted of the charge levelled against him.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(SANDEEP MOUDGIL)
JUDGE

24.5.2024
Ashwani

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