



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

281/1

Date of Decision:- 14.05.2024
1. CRR-2742-2019 (O&M)

VIVEK VERMA

....Petitioner(s)

Versus

GURBAGH SINGH AND ANOTHER

...Respondent(s)

2. CRR-2743-2019 (O&M)

VIVEK VERMA

....Petitioner(s)

Versus

GURBAGH SINGH AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Rajveer Singh Brar, Advocate for
Mr. Vikram Anand, Advocate for respondent No.1.

Mr. Malkit Singh Dhillon, DAG Punjab.

SANJIV BERRY, J. (ORAL)

This common order shall dispose of the above-mentioned two
criminal revision petitions pending between the same parties.

2. Learned counsel for the petitioner has handed over a demand
draft dated 18.03.2024 bearing No.000913 amounting to Rs.3 lakhs in
pursuance to the settlement effected on 20.03.2024 before the Mediation



Centre of this Court. The draft has been accepted by learned counsel for the respondent and the same has been handed over to the respondent-Gurbhagh Singh, present in Court, which has been accepted by him.

3. By way of present revision petitions, the petitioner has challenged the judgment dated 10.09.2019 passed in CRA/144/2017 and CRA/143/2017 by the learned Additional Sessions Judge, Kapurthala, whereby the appeals preferred by the petitioner against the judgments of conviction and order of sentence dated 20.12.2016 passed in NACT No.1243/2014 and NACT No.1889/2014 by the then Additional Chief Judicial Magistrate, Kapurthala convicting the petitioner for offence under Section 138 of the Negotiable Instruments Act had been dismissed.

4. The petitioner as well as respondent and also their respective counsels are *ad idem* that the dispute *inter se* parties has since been settled in the Mediation and Conciliation Centre of this Court, whereby a total amount of Rs.12 lakhs has been paid by the petitioner to respondent No.1 towards full and final settlement of the cheques in dispute.

5. As per report dated 20.03.2024 submitted by the Mediator of this Court, the parties have settled the dispute and the petitioner has paid a lumpsum amount of Rs.12 lakhs to the respondent. Learned counsel for the respondent along with the respondent present in Court have pleaded no objection in case the present revision petitions are accepted.

6. After considering the submissions and perusing the record and taking into consideration the fact that during the course of proceedings, the parties have effected settlement in the Mediation Centre as per report dated



20.03.2024 and in pursuance thereto, the petitioner has paid the settled amount which has been accepted by respondent and he has pleaded no objection in case the present revision petitions are allowed, the instant petitions deserve to be allowed.

7. Accordingly, present petitions are hereby allowed and as a result thereof, the impugned judgments of conviction and orders of sentence dated 20.12.2016 passed in NACT No.1243/2014 and NACT No.1889/2014 by the then Additional Chief Judicial Magistrate, Kapurthala and judgment dated 10.09.2019 passed in CRA/144/2017 and CRA/143/2017 by the learned Additional Sessions Judge, Kapurthala are hereby set aside. Resultantly, the petitioner stands acquitted in both the aforesaid cases.

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

(SANJIV BERRY)
JUDGE

14.05.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |