



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRR-3430-2019 (O&M)
Date of Decision: 20.12.2024

ROHIT KUMAR

...Petitioner

Vs.

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mohit Aneja, Advocate for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

Mr. Sudhir Hooda, Advocate for respondent no.2.

SANDEEP MOUDGIL, J. (Oral)

Challenge in the present revision petition is to the judgment dated 22.11.2019 passed by the learned Additional Sessions Judge, Panipat, whereby while dismissing the appeal filed by the petitioner, the judgment of conviction dated 11.04.2017 and order of sentence dated 12.04.2017 passed by the learned Judicial Magistrate Ist Class, Panipat, in criminal complaint No.675 of 2013, under Section 138 of the Negotiable Instruments Act, 1881, has been upheld.

During the pendency of the dispute, the parties have entered into a settlement which stands reduced in writing and the petitioner has already paid an amount of Rs.1,40,000/- to the respondent/complainant apart from additional amount, which he will pay in installments, and filed the present petition for quashing of the impugned order.

Vide order dated 19.11.2024, parties were directed to appear before the Illaqa Magistrate/Trial Court and report with regard to the



genuineness of the compromise was called for.

The report dated 18.12.2024 has been received from Judicial Magistrate First Class, Panipat stating that the parties have entered into a compromise, which is genuine, voluntary and without any coercion or undue influence.

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.

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.

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.

Accordingly, the present 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 dated 11.04.2017 and order of sentence dated



12.04.2017, passed by JMIC, Panipat vide which the petitioner was convicted under Section 138 of NI Act, 1881, and sentenced to undergo RI for one year and to pay a compensation to the tune of Rs.6 lacs as well as judgment dated 22.11.2019 passed by Additional Sessions Judge, Panipat and along with all consequential proceeding arising therefrom, are quashed qua the petitioner.

The present petition is hereby allowed.

(SANDEEP MOUDGIL)
JUDGE

20.12.2024

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