



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

CRR-2842-2023

Date of Decision: May 31, 2024

Sukhbir Singh

...Petitioner

Versus

Pankaj Aggarwal

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ravish Bansal, Advocate for
Mr. Abhinav Jain, Advocate for the petitioner.

Mr. R.G. Chandiwalla, Advocate for the respondent.

DEEPAK GUPTA, J.(Oral)

In criminal complaint titled as “*Pankaj Aggarwal v. Sukhbir Singh*”, bearing criminal case No.267 of 2017, petitioner was convicted under Section 138 of the Negotiable Instruments Act, 1881 (for short ‘the N.I. Act’), vide judgment dated 06.08.2019 by learned Judicial Magistrate 1st Class, Faridkot; and was sentenced to undergo rigorous imprisonment for a period 01 year and to pay a fine of ₹200/- with default sentence of 02 days. Appeal filed by the petitioner against the aforesaid judgment of conviction and order of sentence has been dismissed by the Court of Sessions on 20.11.2023. Against the concurrent findings of conviction, petitioner has filed present revision petition.

2. Before this Court, it was informed by learned counsel for both the parties that matter has been settled for an amount of ₹80,000/-. Earlier, a demand draft of ₹80,000/- was deposited by the petitioner in the Registry. As its validity period has expired, therefore, in compliance of the order dated

27.05.2024, today petitioner has handed over fresh demand draft No.241581 dated 30.05.2024 for an amount of ₹80,000/- favouring the respondent-complainant drawn on State Bank of India, High Court Branch. The original demand draft has been handed over to Shri R.G. Chandiwalla, Advocate for the respondent and the photocopy thereof has been retained on the file.

3. Learned counsel for the respondent-complainant submits that the entire settlement money has been received and therefore, he has no objection, if the conviction of the petitioner as recorded by two Courts below, is set aside.

4. Heard.

5. Offence under Section 138 of the N.I. Act is compoundable. Compounding can be permitted at any stage.

6. Having regard to the aforesaid facts and circumstances and the fact that matter has already been settled between the parties and the settled amount already stands paid, necessary permission to compound the offence is granted. Consequent thereto, present petition is allowed. The impugned judgment of conviction and order of sentence as passed by the Courts below, are hereby set aside. Petitioner stands acquitted within the meaning of 320(8) Cr.P.C.

May 31, 2024

sarita

(DEEPAK GUPTA)**JUDGE**

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No