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2024:PHHC:172462

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-2365-2024 (O&M)

Date of decision: 09.12.2024

JOGENDER SINGH ALIAS JOGINDER PAL SINGH

....PETITIONER

Versus

CHAND BHATTA CO.

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Naveen Kumar, Advocate
for the petitioner.

Mr. Sandeep Yadav, Advocate for the respondent.

SANDEEP MOUDGIL, J.

1. This revision petition has been directed against the judgment dated 12.11.2024 passed by the learned Additional Sessions Judge, Rohtak, in Criminal Appeal No.32-CRA of 2019/2020/2021 affirming the judgement/order dated 11.06.2019 of the Judicial Magistrate Ist Class, Rohtak, convicting and sentencing the petitioner in Complaint No.2212 of 2016, filed under Section 138 of the Negotiable Instruments Act, 1881.

2. **Relief sought:**

To set aside the judgements of the learned Courts below i.e. judgment dated 12.11.2024 passed by the learned Additional Sessions Judge, Rohtak and that of judgement/order dated 11.06.2019 of the

Judicial Magistrate Ist Class, Rohtak, and to acquit the petitioner in Complaint No.2212 of 2016, titled “Chand Bhatta Company Vs. Joginder Singh” filed under Section 138 of the Negotiable Instruments Act, 1881 (for short – ‘N.I.Act’).

3. **Contentions:**

On behalf of petitioner:

It is contended on behalf of the petitioner that the petitioner has compromised the matter with the complainant and the entire cheque amount involved in the case has already been paid to the complainant/respondent and nothing remains to be paid now. As such, the petitioner may be acquitted of the acquisition against him.

On behalf of respondent:

Learned counsel for the complainant/respondent puts in appearance in the case and submitted his Power of Attorney which is taken on record. He has admitted the factum of compromise between the petitioner and the complainant and also accepts that the complainant has received the entire cheque amount involved in this case and that the complainant has no objection, if the accused/petitioner is acquitted of the acquisition against him and the offence is compounded.

4. Heard both the sides.

5. **Conclusion:**

In view of the settlement arrived at between the parties as well as in view of the statement made by the complainant, through counsel, the present petition stands disposed off, as the offence has been

compounded between by the complainant with the accused/petitioner.

Petitioner– Joginder Singh @ Joginder Pal Singh, who is confined in District Jail, Rohtak) son of Sh.Jagmal Singh, resident of village Samargopalpur, District Rohtak, be set at liberty forthwith, if he is not required in any other case.

(SANDEEP MOUDGIL)
JUDGE

09.12.2024
Poonam Negi

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