



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

CRR-1133-2019

Date of decision: 30.01.2025

RAJINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arshdeep Singh, Advocate for
Mr. T.V.S. Lehal, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Vipin Kumar Sharma, Advocate
for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. Present revision petition has been filed against the judgment dated 30.03.2019 passed by learned Additional Sessions Judge, Shaheed Bhagat Singh Nagar, whereby judgment dated 11.05.2016 passed by learned Judicial Magistrate Ist Class, Balachaur has been upheld.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was convicted and sentenced under Section 420 IPC and awarded rigorous imprisonment for a period of 01 year by learned Judicial Magistrate Ist Class, Balachaur on 11.05.2016. The appeal filed by the petitioner was also dismissed by learned Additional Sessions Judge, SBS Nagar on 30.03.2019.

3. Learned counsel for the petitioner submits that during the pendency of the present petition, vide order passed by this Court on 16.02.2024, the matter was referred to Mediation and Conciliation Centre of this Court and parties were directed to appear before the Centre on 27.02.2024.

Thereafter on 19.03.2024, a request for extension of time was also made by



learned Mediator.

3. In view of the above, the parties have amicably settled their pending disputes amicably and they have executed a settlement agreement dated 01.04.2024, which is duly signed by the petitioner and respondent Nos.2 and 3 and counsels of respondent Nos.2 and 3. Relevant part of the same is reproduced hereunder:

“xxx....xxx....xxx

6. *The following settlement has been arrived at between the parties hereto:*

i) That the parties have mutually agreed to settle the matter for a total sum of Rs.4,00,000/- (Rupees Four Lacs only). This amount shall be paid by the petitioner/first party to the second party as full and final settlement of the present dispute.

ii) That the first party has already deposited demand drafts for a total sum of Rs.2,00,000/- (Rupees Two Lacs Only) in favour of legal heirs of the complainant-Rattan Singh with the Registry of Hon'ble High Court at the time of granting bail vide order dated 10.02.2019. The first party undertakes to deposit the new four demand drafts of Rs.2,00,000 (Rupees Two Lacs Only) after getting the previous demand drafts from the Hon'ble Court before the date fixed i.e. 14.05.2024.

iii) That the balance amount of compromise i.e. Rs.2,00,000/- (Rupees Two Lacs Only) will be paid by the first party in favour of legal heirs of complainant-Rattan Singh four equal instalments i.e. Rs.50,000/- each.

iv) That the first instalment of Rs.50,000/- will be paid by the first party on 10.05.2024 through RTGS in favour of Salinder Singh son of Rattan Singh, Account No.154134001000639 of The



*Nawanshahr Co-operative Bank, Branch Saroya, Tehsil Balachaur
District S.B.S. Nagar.*

v) That the second instalment of Rs.50,000/- will be paid by the first party on 10.06.2024 through RTGS in favour of Salinder Singh son of Rattan Singh, Account No.154134001000639 aforesaid.

vi) That the third instalment of Rs.50,000/- will be paid by the first party on 10.07.2024 through RTGS in favour of Salinder Singh son of Rattan Singh, Account No. 154134001000639 aforesaid.

vii) That the full and final instalment of Rs.50,000/- will be paid by the first party on 10.08.2024 through RTGS in favour of Salinder Singh son of Rattan Singh, Account No.154134001000639 aforesaid.”

4. As per the settlement, it has been agreed between the parties that they will have no further claims or demand against each other with respect to the suit/claim/proceedings filed by both the parties in different Courts of law and all the suits between the parties have been amicably settled and both the parties have undertaken to remain bound by the terms and conditions of the agreement.

5. Learned counsel for the petitioner further submits that out of settled amount of Rs.4,00,000/-, an amount of Rs.2,00,000/- has already been handed over to the respondent Nos.2 and 3. The remaining amount of Rs.2,00,000/-, which is lying deposited in the Registry of this Court, in compliance of the order passed by this Court on 10.09.2019, the petitioner undertakes to pay the same to respondent Nos.2 and 3, in case the Registry is directed to handover the demand draft to the petitioner.

6. Having heard learned counsel for the parties and in view of the settlement dated 01.04.2024 and the ratio of law laid down by the Hon'ble



Supreme Court in *Narinder Singh and others vs. State of Punjab and another*, (2014) 6 SCC 466, *Ramgopal and another Vs. State of Madhya Pradesh* 2021 SCC OnLine SC 834 and *Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others* (1980) 1 SCC 63 and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab* 2007 (3) RCR (Crl.) 1052, the judgment of conviction and order of sentence dated 11.05.2016 passed by learned Judicial Magistrate Ist Class, Balachaur along with the judgment dated 30.03.2019 passed by learned Additional Sessions Judge, Shaheed Bhagat Singh Nagar are set aside and the petitioner is acquitted of the charge framed against him. His bail bonds and surety bonds are ordered to be discharged.

7. Registry is directed to hand over the draft of Rs.2 lakhs lying before it in compliance of the order passed by this Court on 10.09.2019 against a proper receipt and the petitioner is directed to prepare a fresh demand draft and hand it over to respondent Nos.2 and 3 within a period of four weeks.

8. Disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

January 30, 2025
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(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No