



267

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

**CRR-2137-2017 (O&M)
DATE OF DECISION: 15.01.2025**

RAKESH KUMAR

...PETITIONER

Versus

RANJIT SINGH & ANR

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Saurabh Bhardwaj, Advocate for the petitioner(s).
Mr. Karanveer Singh, Advocate for
Mr. Vishal Sharma, Advocate for respondent No. 1.
Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This revision petition has been filed against the judgment of conviction and order of sentence dated 13.06.2014 passed by the Judicial Magistrate 1st Class, Ludhiana; whereby convicting the petitioner U/s 138 of Negotiable Instrument Act in Criminal Complaint Case No. 438/2 titled as "Ranjit Singh vs. Rakesh Kumar" and the same has been upheld by the Additional Sessions Judge, Ludhiana while dismissing the appeal filed by the petitioner.

On the last date, the matter was referred to the Mediation and Conciliation Centre of this Court and the same is settled between the parties vide settlement deed dated 29.11.2024 attached to the case file along with the report of learned Mediator Ms. Shallu Sarover. The term of the settlement would read as under :-

'7. The following settlement has been arrived at between the Parties hereto:



a) That the first party shall pay the amount of Rs.1,70,000/- (Rupees One Lac and Seventy Thousand only) to the second party as full and final settlement in respect of the dispute relating to the cheque.

The first party has already paid the amount of Rs.1,70,000/- (Rupees One Lac and Seventy Thousand only) in cash to the second party on 28.11.2024, which is admitted by the second party.

b) The second party has agreed to hand over the property papers of property measuring 100 Sq. Yards located at Ludhiana to the first party on or before 02.12.2024 i.e. the date fixed for hearing in the present case before this Hon'ble High Court.

c) That the second party shall also hand over the cheque(s) to the first party related to the complaint case pending between the parties and any other cheque(s) that remain in possession of the second party that pertain to the first party on or before 02.12.2024 i.e. the date fixed for hearing in the present case before this Hon'ble High Court.

d) That the second party shall have no objection if the present Revision Petition is disposed of in the terms of this settlement/agreement. The second party undertakes to make statement, file affidavit as and when directed by the Hon'ble High Court.

e) This compromise has been reached between the parties without any pressure and both the parties have very happily agreed to abide by the terms and conditions of the settlement/agreement. Both the parties shall be bound with the terms and conditions of this compromise.'

Learned counsel for respondent No.1 is also in agreement
with counsel for the petitioner.



CRR-2137-2017 (O&M)

-3-

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 the petitioner be ordered to be acquitted of the charges.

Learned counsel for 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 revision petition is disposed of. 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 and order of sentence dated 13.06.2014 passed by the Judicial Magistrate 1st Class, Ludhiana; whereby convicting the petitioner U/s 138 of Negotiable Instrument Act in Criminal Complaint Case No. 438/2 titled as "Ranjit Singh vs. Rakesh Kumar" and the same has been upheld by the Additional Sessions Judge, Ludhiana while dismissing the appeal filed by the petitioner is quashed qua the petitioner.



CRR-2137-2017 (O&M)

-4-

The present petition is hereby allowed.

(SANDEEP MOUDGIL)
JUDGE

15.01.2025
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>