

DAILY LOK ADALAT

BENCH NO.3

CRR NO.399 OF 2017 (O&M)

501

MS/ KULDEEP AGRO INDUSTRIES & ANR. V/S M/S MOHAN STEEL TRADING

AND

CRR NO.1532 OF 2017

M/S MOHAN STEEL TRADING COMPANY V/S M/S KULDEEP AGRO INDUSTRIES & ANR.

Present: Mr. Gaurav Sharma, Advocate with
Mandeep Kumar-Petitioner
in CRR No.1532 of 2017 in person.

Mr. Deepak Aggarwal, Advocate with
Pritpal Singh-Petitioner
in CRR No.399 of 2017 in person.

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This order will dispose of these two criminal revision petitions filed against the same judgment and order dated 22.01.2014; one by the accused-M/s Kuldeep Agro Industries through its Proprietor Pritpal Singh and the other by the complainant-M/s Mohan Steel Trading Company through its partner Mandeep Kumar.

M/s Mohan Steel Trading Company filed a complaint under Section 138 of the Negotiable Instruments Act against the accused-M/s Kuldeep Agro Industries, alleging that an amount of Rs.25,99,043/- was due against the accused, therefore, two cheques bearing No.105976 and 105977 dated 04.02.2009 for Rs.10 lac each were issued by the accused-firm, which were dishonored. The learned Trial Magistrate after a consideration of the matter found the accused-Pritpal Singh guilty and sentenced him to undergo R.I. for one year and to pay a compensation of Rs.5,000/- and in default of payment of fine, further period of 10 days. The appeals thereagainst were dismissed by the learned Additional Sessions Judge, Barnala vide judgment and dated 24.01.2017. Hence, these revision petitions.

Learned counsel appearing for the accused-Pritpal Singh submitted that the parties have entered into a compromise and on the basis of the said compromise, he requested that the

offence may be permitted to be compounded. Learned counsel appearing for the complainant-firm admitted the factum of compromise before the Court and submitted that he has no objection in case, the offence is compounded and the sentence awarded to the accused-Pritpal Singh is set aside and he is acquitted of the charge.

On a consideration of it and keeping in view the statements of the parties, recorded separately, the conviction and sentence awarded by the learned trial Magistrate, Barnala vide judgment dated 22.01.2014 and affirmed by the learned Sessions Judge, Barnala vide judgment dated 24.01.2017 is set aside in view of the compromise and the accused-Pritpal Singh is ordered to be acquitted of the charges.

In view of the above, CRR No.399 of 2017 filed by the accused-M/S Kuldeep Agro Industries is allowed and CRR No.1532 of 2017 filed by the complainant-M/s Mohan Steel Trading Company is dismissed as having been rendered infructuous.

Files be consigned to record.

A photocopy of this order be placed on the file of the connected revision petition.

**(G.C. GARG)
PRESIDENT**

**(N.K. KAPOOR)
MEMBER**

01.05.2024
NainaRajput