



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

CRR-2483-2024 (O&M)

Date of Decision: January 21, 2025

LALIT ANAND ALIAS LALIT KUMAR Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANR Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Jitender Singh Dadwal, Advocate for the petitioner.

 Mr. Rajiv Verma, DAG, Punjab.

 Mr. Sanjeev Kumar, Advocate for respondent No.2.

SANDEEP MOUDGIL, J.(ORAL)

The present revision petition has been filed for setting aside the judgment and order dated 18.11.2024 passed by Additional Sessions Judge, Ludhiana and judgment and order dated 15.09.2018 passed by JMIC, Ludhiana whereby the petitioner was convicted for RI for 2 years and compensation of Rs.6,25,000/- to be paid to the complainant.

Along with present petition the application i.e. CRM-48427-2024 under Section 147 of Negotiable Instrument Act read with Section 528 Bhartiya Nagrik Suraksha Sanhita, 2023 for compounding the offence under Section 138 of Negotiable Instrument Act has been filed.

During the pendency of the dispute, the parties have compromised the matter and filed the present petition for quashing of the impugned order.

Vide order dated 05.12.2024, parties were directed to appear before the Illaqa Magistrate/Trial Court and report with regard to the genuineness of the compromise was called for.



The report dated 19.12.2024 has been received from Judicial Magistrate First Class, Ludhiana, stating that the parties have entered into a compromise, which is genuine, voluntary and without any coercion or undue influence.

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 by setting aside the judgments/orders passed by the Courts below, the petitioner be ordered to be acquitted of the charges.

Learned counsel appearing on behalf of 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 petition is allowed. 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 and order dated 18.11.2024 passed by Addl. Session Judge, Ludhiana and judgment and order dated 15.09.2018, passed by JMIC, Ludhiana vide



which the petitioner was convicted under Section 138 of NI Act, 1881, and sentenced to undergo RI for two years and compensation of Rs.6,25,000/-to be paid to the complainant and along with all consequential proceeding arising therefrom, are quashed qua the petitioners.

The present petition is hereby allowed.

(SANDEEP MOUDGIL)
JUDGE

21.01.2025
Sangeeta

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