2026:AHC:210995

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 1357 of 2021

Yogendra Kumar

.....Revisionist(s)

Versus

State Of U.P.And Another

.....Opposite Party(s)

Counsel for Revisionist(s) : Chandra Prakash Awasthi, Om Prakash Singh (Senior Adv.)
Counsel for Opposite Party(s) : G.A., Rajesh Kumar Singh

Court No. - 84

HON'BLE LAKSHMI KANT SHUKLA, J.

1. Heard Mr. Chandra Prakash Awasthi, learned counsel appearing on behalf of revisionist, learned AGA appearing on behalf of State-opposite party no. 1, Mr. Rajesh Kumar Singh, learned counsel appearing on behalf of opposite party no. 2 and perused the record.

2. Revisionist has approached this Court by means of present criminal revision and to set aside the impugned judgment and order dated 19.02.2021 passed by Additional Sessions Judge-IV/Special Judge (E.C. Act) Banda and also judgment and order dated 30.10.2019 passed by Special Judicial Magistrate-I, Banda under section 138 Negotiable Instrument Act.

3. The revisionist and opposite party no. 2 are present in court in person, their identity has been duly verified by their learned counsels. Their presence recorded on order sheet. The revisionist and opposite party no. 2 admitted to file a joint compromise affidavit including Annexure 3.

4. Learned counsel for revisionist submitted that the parties has amicably settled their matter and in compliance of order of this Court dated 21.09.2021, the revisionist has deposited Rs. 3,00,000/- in appropriate head of court concerned which may be released in favour of opposite party no. 2 after disposal of the appeal, the rest amount of compensation has been paid through process of recovery. The details of such payment has been given in Annexure 3 to the joint compromise affidavit.

According to the aforesaid details Rs. 1,49,500/- were recovered and deposited in proper government head by recovery officials, rest amount with interest has been received in cash by opposite party no. 2. According to Annexure 3 of joint compromise affidavit, no amount remained due on revisionist and in aforesaid premise a compromise deed arrived at between the parties on 12.06.2026. In view of above, Annexure no. 3 the compromise deed is verified and present criminal appeal deserves to be allowed in terms of Annexure 3 to joint compromise affidavit.

5. Accordingly, the instant criminal revision is **allowed** in terms of aforesaid joint compromise affidavit. The impugned judgment and order dated 19.02.2021 passed by learned Additional Sessions Judge/-IV/Special Court(E.C. Act), Banda in Criminal Appeal No. 33 of 2019 as well as judgment and order dated 30.10.2019 passed by learned Special Judicial Magistrate-I, Banda under section 138 N.I. Act are hereby set aside. The amount deposited under appropriate head of Court as well as under the Government head shall be released in favour of opposite party no. 2/complainant, in accordance with law.

(Lakshmi Kant Shukla,J.)

October 5, 2026
Arti

Digitally signed by :-
ARTI SHARMA
High Court of Judicature at Allahabad