

BI-MONTHY LOK ADALAT

CRR-1959-2018
Date of Decision: 31.8.2019

Baldev Singh

.....Petitioner

Versus

Shri Ram Transport Finance Company Ltd.Respondent

Present: Mr. Baldev Singh, petitioner in person, along with
His counsel Mr. D.V. Dhindsa, Advocate.

Mr. Mohd. Amzad, Retainer Advocate for Shri Ram
Transport Finance Limited.

Harnaresh Singh Gill, President.

The petitioner was tried for the offence under Section 138 of the Negotiable Instruments Act, 1881. Vide judgment dated 6.1.2015, the petitioner was convicted for the said offence and vide order dated 8.1.2015, he was sentenced to undergo RI for one year and to pay a fine of Rs.500/- and, in default of payment of the fine, to undergo simple imprisonment for seven days.

Aggrieved against the judgment and order passed by the trial Court, the petitioner preferred an appeal before the learned Sessions Judge, Karnal. However, vide judgment dated 10.04.2018, the learned Additional Sessions Judge, Karnal, dismissed the appeal, thereby affirming the judgment and order passed by the learned trial Magistrate.

Still aggrieved, the petitioner has preferred the present revision petition.

During the pendency of the present petition, the matter came to be listed before the Bi-Monthly Lok Adalat. During such proceedings, the petitioner as also the Retainer Advocate for the respondent-Company, have made their respective statement that the matter has been settled/compromised. The respondent-Company has received an amount of Rs.1,30,000/- as full and final settlement of its claim and in turn, it has issued No Due Certificate to the petitioner. Accordingly, it is stated by the Retainer Advocate, that the respondent has no objection if judgments and order passed by the learned Courts below are set aside and the petitioner is acquitted of the charge framed against him in terms of the compromise arrived at between the parties.

Section 320 of the Criminal Procedure Code, provides for compounding of the offences. In the instant case, as noticed above, the matter stands settled between the parties. Therefore, the compounding of offence can be allowed in this case in terms of the provisions of Section 320 of the Code of Criminal Procedure. As a consequence thereof, the judgments and order passed by the learned Courts below shall stand set aside and the petitioner stands acquitted of the charge framed against him.

In view of the above, while allowing the parties to compound the offence on the basis of the compromise arrived at

between them, the judgments and order passed by the Courts below are set aside; the criminal complaint filed by the respondent-complainant is dismissed and the petitioner is acquitted of the charge framed against him.

Revision petition stands allowed in the above terms.

(HARNARESH SINGH GILL)
PRESIDENT

31.08.2019
ds

(ASHOK PAUL BATRA)
MEMBER