

CRR-480-2018

BI-MONTHLY LOK ADALAT

CRR-480-2018

Date of Decision: 30.11.2019

Mithu Singh

----Petitioner

Versus

The Rampura Phul Primary, Co-operative Agricultural Development Bank, Rampura Phul.

----Respondent

Present: None for the petitioner.

Mr. Manjit Singh Sarao, Advocate along with
Mr. Gurvinder Singh, Clerk
for the respondent.

Suvir Sehgal, President

The proceedings under Section 138 of the Negotiable Instruments Act, 1881 (for short 'the Act') were initiated against the petitioner by the respondent the Rampura Phul Primary, Co-operative Agricultural Development Bank, Rampura Phul. Vide judgment dated 03.01.2017, accused petitioner was convicted of the offence under Section 138 of the Act and he was sentenced to undergo rigorous imprisonment for a period of one year. He remained unsuccessful in appeal. Learned Additional Sessions Judge vide judgment dated 27.11.2017 dismissed his appeal, thereby upholding his conviction and sentence.

Aggrieved there against, the petitioner filed the present Criminal Revision. During the pendency of the revision, the matter was referred to Bi-monthly Lok Adalat. Mr. Manjit

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Singh Sarao, Advocate appeared on behalf of the respondent with Mr. Gurvinder Singh, Clerk the Rampura Phul Primary, Co-operative Agricultural Development Bank, Rampura Phul. He made the statement before the Bi-monthly Lok Adalat, which is reproduced as under: -

On instructions of Gurvinder Singh, Clerk, The Rampura Phul Primary Co-operative Agricultural Development Bank, Rampura Phul, who is the complainant in this case and present in this Court, states that the complainant has received the entire cheque amount and I on behalf of the complainant withdraw the complaint. The judgment of conviction and sentence of both the courts below be set aside and the accused-revisionist may be acquitted in this case. The Bank has satisfied its claim."

As is apparent from the statement, the Bank has received the entire cheque amount and has withdrawn the complaint filed against the petitioner. Resultantly, the judgment of conviction and sentence passed against the petitioner by the trial Court and affirmed by the Sessions Court is hereby set aside and he is acquitted of the charge framed against him under Section 138 of the Act.

Accordingly, the Criminal Revision is allowed in the above terms.

(Suvir Sehgal)
President

(Sanjeev Sharma)
Member

Dt. 30.11.2019

Atul