

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No.272 of 2022

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Arif Alam Petitioner

Versus

1. The State of Jharkhand
2. Baijnath Prasad Opp. Parties

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CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner : Mr. Bijay Kr. Sinha, Adv.
For the State : Mr. Manoj Kr. Mishra, A.P.P.
For the O.P. No.2 : Mr. P.C. Sinha, Adv.

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03/30.05.2022 The instant criminal revision has been filed against the judgment dated 13.01.2022 passed by the learned District & Additional Sessions Judge-I, Lohardaga in Criminal Appeal No.26 of 2018, affirming the judgment of conviction and order of sentence dated 20.01.2018 passed by the learned Chief Judicial Magistrate, Lohardaga in Complaint Case No.34 of 2017 (Tr. No.61 of 2018) by which the petitioner has been held guilty under Section 138 of the Negotiable Instruments Act and sentenced to undergo S.I. for six months with fine of Rs.2,00,000/-.

It has been submitted by learned counsel for the petitioner that the petitioner has been convicted for the offence under Section 138 of the N.I. Act which is compoundable under Section 147 of the N.I. Act. It has been further submitted that during pendency of this application both the parties have settled their dispute outside the Court and money has been transacted and no disputes survives between the parties. A joint compromise petition has been brought on record by filing I.A. No.4507 of 2022. The opposite party has no grievance against the petitioner and as such, the present revision application may be allowed.

In view of settlement of dispute, the matter is hereby, compounded and the impugned judgment and order dated 13.01.2022 passed by the learned District & Additional Sessions Judge-I, Lohardaga in Criminal Appeal No.26 of 2018, affirming the judgment of conviction and order of sentence dated 20.01.2018 passed by the learned Chief Judicial Magistrate, Lohardaga in Complaint Case No.34 of 2017 (Tr. No.61 of 2018) are, hereby, set aside and the petitioner is acquitted in terms of the compromise. Consequently, the instant criminal revision is, hereby, disposed of.

I.A. No.4507 of 2022 also stands disposed of.

Let a copy of this order be communicated to the court below through FAX.

(Gautam Kumar Choudhary, J.)