



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

**CRR-2429-2024 (O&M)
DATE OF DECISION: 10.01.2025**

UMED SINGH **...PETITIONER**

Versus

MANJEET AHLAWAT **... RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sandeep Bhardwaj, Advocate
or the petitioner.

Mr. Ashish Sanghi, Advocate
for the respondent.

SANDEEP MOUDGIL, J (ORAL)

1. The present petition has been preferred against the judgment of conviction and order of sentence dated 15.07.2019 and 16.07.2019 passed by JMIC, Bhiwani vide which the petitioner was convicted under Section 138 of NI Act and sentenced to undergo SI for a period of 1 year and also to pay compensation of Rs. 4,50,000/- and in default of payment of compensation to further undergo SI for six months.

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

3. Vide order dated 02.12.2024, parties were directed to appear before the Illaqa Magistrate/Trial Court and report with regard to the genuineness of the compromise was called for.

4. The report dated 12.12.2024 has been received from Judicial Magistrate First Class, Bhiwani, stating that the parties have entered into a compromise, which is genuine, voluntary and without any coercion or undue influence.

5. 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.

6. 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.

7. 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.

8. Accordingly, the present revision 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 dated 19.11.2024 passed by Addl.

Sessions Judge, Bhiwani affirming the judgment of conviction dated 15.07.2019 and order of sentence dated 16.07.2019, passed by Judicial Magistrate, 1st Class Bhiwani vide which the petitioner was convicted under Section 138 of NI Act, 1881, and sentenced to undergo SI for a period of 1 year and also to pay compensation of Rs. 4,50,000/- and in default of payment of compensation to further undergo SI for six months, is quashed qua the petitioner.

9. The present petition is hereby allowed.

(SANDEEP MOUDGIL)
JUDGE

10.01.2025

Poonam Negi

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*