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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

296

CRR-124 of 2023 (O&M)
Date of Decision:.11.12.2024

Naveen Malik

....Petitioner(s)

Versus

State of Haryana and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. K. S. Virk, Advocate, for the petitioner.

Mr. Abhinash Jain, AAG, Haryana

Mr. Abhishek Singh, Advocate,
for respondent No.2.

KULDEEP TIWARI, J. (Oral)

CRM-1417 of 2023

This is an application for condonation of delay of 212 days in filing the present revision petition.

For the reasons mentioned in the application, the same is allowed and a delay of 212 days in filing the present revision petition is condoned.

Main case

1. The instant revision petition is directed against the judgment of the learned trial Court concerned as well as the appellate Court. During the pendency of the instant revision petition, the compromise was effected between the parties concerned.

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2. Learned counsel for the petitioner submits that in view of the provision of Section 147 of the Negotiable Instruments Act, 1881, the instant offence committed by the present petitioner may be compounded.

3. Learned counsel for the complainant-respondent No.2 submits that he has no objection in case the instant offence as committed by the present petitioner is compounded, as full and final compromise has been effected between the parties concerned.

4. This court has heard learned counsel for the parties concerned, and have gone through the record with their able assistance.

5. A co-ordinate Bench of this Court, vide order dated 19.01.2023, suspended the remaining sentence of the petitioner.

6. The Hon'ble Supreme Court in ***Shakuntla Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63***, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”

7. Be that as it may, keeping in view the fact that: (i) the dispute has been amicably settled between the parties concerned, inasmuch as, the petitioner has made the entire payment of disputed amount to the respondent/complainant; (ii) the offences in question are compoundable; and (iii) compounding can be allowed at any stage, this Court deems it fit and appropriate to allow the instant petition.



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8. Consequently, the instant revision petition is **allowed**, and, the petitioner is **acquitted** of the charges/notice of accusation served upon him. The impugned verdict of conviction dated 16.01.2019 and order of sentence dated 18.01.2019, as passed by the learned trial Court concerned, is **set aside**. Moreover, the impugned verdict dated 15.03.2022, whereby, the learned Additional Sessions Judge concerned, had upheld the conviction of the petitioner, is also **set aside**. **The petitioner is acquitted of the charges, as framed against him.**

9. The petitioner is directed to be released from custody, if still in the custody in the instant matter, and not required in any other matter. His bail bonds and surety bonds, if any, also stand discharged.

10. All pending application(s), if any, stand disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

December 11, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No