

Order below Ex. 1

1) Present appeal emanates from the judgment dated 30.07.2022, passed by Id. 21st Additional Chief Judicial Magistrate, Surat, in Criminal Case No. 21014/2020, whereby the appellant/original accused has been convicted for the offence punishable under Section 138 of the Negotiable Instrument Act.

2) Parties are present. It submitted that, matter has been amicably settled between the parties. Hence, the impugned order be set aside.

3) Respondent is present and submits that he has settled the entire matter with the Appellant and he is not willing to proceed further with the matter. It is further stated by him that he has no objection of the impugned Judgment and Sentence is quashed and set aside. This Court has verified from the Respondent if he has settled the matter on his own volition, discretion and free will to which the Respondent answers in affirmative. This Court further verified from the Respondent if he is under any pressure, influence or coercion to which he replies in negative. The Court is satisfied that parties have mutually and amicably settled the matter. Since Offence u/s 138 are compoundable, I am of the view that the present matter be permitted to be compounded.

Hence in view of aforesaid facts and circumstances I pass

the following order :

ORDER

The order of conviction, sentence and compensation dated 30.07.2022, passed by Id. 21st Additional Chief Judicial Magistrate, Surat, in Criminal Case No. 21014/2020 is hereby set aside.

Date : 09.03.2024

Place : Surat

(A. J.S. Malhotra)
5th Additional District Judge,
Surat
(GJ-01504)