

CRA no.235 of 2018

CNR No. PBPT01-003669-2018

Surjit Singh vs. The Primary Cooperative Agricultural Development Bank

Present: Appellant on bail with counsel, Sh.Pankaj Verma, Advocate
Sh.S.S.Nokwal, Advocate, counsel for respondent

The mater has been taken up in the National Lok Adalat as the offence under Section 138 of Negotiable Instruments Act is compoundable.

A prayer for compounding the offence has also been made on behalf of parties

Separate statement of Harjit Singh, Assistant Manager, PADB, Nabha, on behalf of complainant-respondent has been recorded to the effect that appellant Surjit Singh has made full payment of cheque in question, with the bank and nothing is due towards the appellant and that he has no objection if application filed by appellant for compounding of offence is allowed.

Vide separate application, appellant-accused Surjit Singh has prayed that he has already deposited the cheque amount with the bank and that permission to compound the offence be granted. He also prayed that payment of composition fee be dispensed with in view of hard press circumstances of appellant.

Heard.

Appellant-accused was convicted under Section 138 of the Negotiable Instruments Act. Now, the mater has been amicably settled between the parties. Claim of respondent- complainant stands satisfied.

Offence under Section 138 of the Negotiable Instruments Act is compoundable. Keeping in mind the settlement between the parties, permission to compound the offence is granted to the parties. The appeal accordingly is accepted and the judgment of conviction and order of sentence are hereby set aside. The appellant-accused is deemed to be acquitted in the present case.

Since the matter has been compromised in the Lok Adalat and since appellant- accused is hard pressed for money, the payment of composition fee is waived of.

Copy of this judgment be placed upon lower court record and be returned immediately. File be consigned to the record room.

Pronounced.
14.9.2019

Ravinder Kaur, Stenographer Gr-I

(Priya Sood)
Additional Sessions Judge-cum-
Presiding Officer, National Lok
Adalat. Patiala.(PB0065)

Members

1. _____
2. _____