

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. Revision No. 681 of 2023

Decided on : 05.05.2026

Rakesh Kumar ...Petitioner

Versus

Tek Chand & another ...Respondent

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?¹ No.

For the Petitioner : Mr. Sanjeev Kuthiala, Senior Advocate with Ms. Tamanna Sharma.

For the Respondents : Mr. Tanu Chauhan, Advocate, vice Mr. Raju Ram Rahi, Advocate, for respondent No.1.

Mr. Jitender K. Sharma, Additional Advocate General, for respondent No.2/State.

Rakesh Kainthla, Judge (Oral)

Learned counsel for the petitioner has produced a receipt dated 05.05.2026, issued by Member Secretary, H.P. Legal Services Authority, Kasumpti, Shimla, regarding the deposit of ₹3,7500/- being 7.5 % of the cheque amount of ₹5,00,000/- in pursuance to the order of this Court.

¹ Whether reporters of Local Papers may be allowed to see the judgment? Yes.

2. Learned counsel vice counsel appearing on behalf of respondent No.1 submits that respondent No.1 has received the entire amount and she has instructions not to proceed with the revision in view of the compromise effected between the parties.

3. In view of these facts, the present revision is allowed and the judgment passed by learned Sessions Judge, Mandi, District Mandi in Criminal Appeal No. 64 of 2023, decided on 01.12.2023, affirming the judgment of conviction and order of sentence dated 31.07.2023, passed by learned Judicial Magistrate First Class, Court No.II, Mandi, H.P. in Criminal Complaint Registration No. 1231 of 2018, decided on 31.07.2023 are ordered to be set aside.

4. Learned counsel for the parties, under instructions, submit that no amount has been deposited before the learned Courts below or before this Court and the whole amount has been paid by the petitioner/accused to respondent No.1, therefore, no order is required to be passed regarding release of the amount.

5. Learned counsel for the petitioner submits that the accused/petitioner is lodged in District Mandi, H.P. The petitioner is ordered to be released forthwith, if not required in any other case. Release warrants be prepared accordingly and the same be sent to

the Jail Superintendent, District Jail Mandi, District Mandi, H.P. and learned Trial Court through *FASTER* forthwith for necessary compliance.

6. In view of the above, the present petition stands disposed of, so also the pending miscellaneous application(s), if any

(Rakesh Kainthla)
Judge

05th May, 2026.
(ravinder)