

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No.192 of 2020
With
I.A. No.3329 of 2020
With
I.A. No.3474 of 2020

Motilal Barnwal **Petitioner**

Versus

1. The State of Jharkhand
2. Krishna Singh **Opp. Parties**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioner : Mr. Mukesh Kumar, Advocate
For the State : Mr. Anjani Kr. Toppo, A.P.P
For the O.P. NO.02 : Mr. G. M. Singh, Advocate

04/Dated: 25th June, 2020

1. I.A. No.3474 of 2020 has been filed by way of joint compromise by the petitioner and the O.P. No.02.
2. This revision has been preferred against the judgment dated 18.12.2019, passed in Criminal Appeal No.154 of 2019 by the learned Sessions Judge, Bokaro, affirming the judgment of conviction dated 12.07.2019, of the petitioner, under Section 138 of the Negotiable Instrument Act, by the court of learned Judicial Magistrate, 1st Class, Bokaro, in C. P. Case No.85 of 2018. The petitioner has been sentenced to undergo S.I of one year and to pay the compensation of Rs.1,80,000/- (Rupees One lakh eighty thousand only), and in default, thereof, to undergo S.I. of two months.

Learned counsel for the petitioner has submitted that during the pendency of this revision application, on the intervention of friends, well wishers and relatives, both the parties have amicably settled and compromised the matter. In terms of the settlement the petitioner has paid Rs.1,15,000/- (Rupees One lakh fifteen thousand only) to O.P. No.02 in cash, and by cheque.

Accordingly, prayer has been made to quash and set aside the judgments of the courts below.

3. Learned counsel appearing on behalf of O.P. No.02 has admitted that O.P. No.02 has amicably settled the matter on payment of Rs.1,15,000/- (Rupees One lakh fifteen thousand only). It is submitted that O.P. No.2's grievance has been redressed and he does not want to proceed further with the

prosecution of the case.

4. Heard. Considering the fact that both the parties have amicably settled the matter and O.P. No.02 has received an amount of Rs.1,15,000/- as per settlement. Since the offence under Section 138 of the N. I. Act is compoundable in nature, as such, the compromise is allowed. In view of the amicable settlement arrived at by the parties, the continuation of further proceeding in the case shall only be an exercise in futility leading to wastage of time and an abuse of the process of Court. Thus, in view of the joint compromise filed by the parties and in the interest of justice, the judgment dated 18.12.2019, passed in Criminal Appeal No.154 of 2019 by the learned Sessions Judge, Bokaro, and the judgment dated 12.07.2019 passed by the learned Judicial Magistrate, 1st Class, Bokaro, in C.P. Case No. 85 of 2018, are, hereby, quashed and set aside,

5. In the result, the petitioner is acquitted of the offence under Section 138 of the N.I Act in terms of the joint compromise.

6. In view of the final order passed in this revision I.A. No.3329 of 2020 stand disposed off.

(AMITAV K. GUPTA, J.)

Chandan/-