

**ORDER SHEET.**

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**Criminal Revision No.12/2015**

Raja Wajid Ali

***Versus***

Ejaz Satti, etc

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
-------------------------------------	-----------------------------------	--

10.10.2019

Mr. Usman Ali, Advocate for petitioner.  
Mr. Sadaqat Ali Jahangir, State Counsel.  
Respondent No.1 in person.

Through this criminal revision, petitioner has assailed the judgment dated 14.02.2015, whereby learned Additional Sessions Judge, Islamabad (East) has upheld the judgment dated 29.01.2015 passed by learned Judicial Magistrate, Islamabad (East) in case FIR No.363 dated 28.09.2012 under section 489-F PPC, Police Station Koral, Islamabad, whereby petitioner has been convicted and sentenced to two years rigorous imprisonment with fine of Rs.5,000/- and in case of default in payment of fine, to further undergo for one week simple imprisonment. Benefit of section 382-B Cr.PC has also been given to the petitioner.

2. Brief facts of the case are that respondent No.1 exchanged his triple storey house situated at Shakrial, Islamabad with petitioner's plot measuring 43 marlas worth of Rs.43,00,000/-, plot measuring 7 marlas worth of Rs.9,10,000/- and cash of Rs.13,75,000/-. Respondent No.1 transferred his house in the name of nominee of petitioner but later on, plot measuring 43 marlas was

found disputed, ~~so~~ it was agreed between the parties that the petitioner will pay cash Rs.20,00,000/- ~~for~~ <sup>3</sup> for 20 marlas land and will also transfer 23 marlas land to the complainant but the petitioner failed to do so. The petitioner also issued two cheques amounting to Rs.19,00,000/- which were dishonoured on presentation before the bank concerned.

3. Today, respondent No.1 has put appearance before the Court and states that he has already submitted affidavit regarding his compromise with petitioner. He further states that he has received due amount from the petitioner, therefore, he has no objection on his acquittal.

4. Learned state counsel contends that offence under section 489-F PPC is compoundable, therefore he has no objection on acquittal of petitioner.

5. In view of above, instant criminal revision is accepted, judgments dated 14.02.2015 & 29.01.2015 passed by the Courts below are hereby set-aside and petitioner is acquitted from the criminal case FIR No.363 dated 28.09.2012 under section 489-F PPC, Police Station Koral, Islamabad. Surety of petitioner stands discharged from his liabilities.

**(MOHSIN AKHTAR KAYANI)**  
**JUDGE**