

383 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-2291-2007

Date of Decision: December 02, 2015

JAND SINGH

....PETITIONER

VERSUS

M/S RAMESH KUMAR BHARTINDER SINGH AND ANR.

....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE SABINA

Present : Mr. Randhir Singh, Advocate for
Ms. Renu Bala Sharma, Advocate
for the petitioner.

None for respondent No.1.

Mr. J.S. Sekhon, AAG, Punjab.

SABINA, J.

Petitioner had faced trial in a complaint filed by respondent No.1 under Section 138 of the Negotiable Instruments Act. Trial Court vide judgment/order dated 21.08.2000 had ordered the conviction and sentence of the petitioner qua commission of offences punishable under Section 138 of the Act. The said conviction and sentence of the petitioner as ordered by the trial Court were upheld in appeal by the Appellate Court vide order dated 15.11.2007. Hence, the present petition.

During the course of arguments, learned counsel for the petitioner has not challenged the conviction of the petitioner under Section 138 of the Act but has submitted that the sentence qua imprisonment of the petitioner be reduced to the period

already undergone by him. Learned counsel has submitted that the petitioner is facing the criminal proceedings since the year 1996. Petitioner is not a previous convict.

None has appeared on behalf of respondent No.1 despite service.

Keeping in view the submissions made by learned counsel for the petitioner, it would be just and expedient to reduce the sentence qua imprisonment of the petitioner to the period already undergone by him. Petitioner has already undergone 5 months of actual sentence.

Accordingly, conviction of the petitioner under Section 138 of the Act is maintained, however, sentence qua imprisonment of the petitioner is reduced to the period already undergone.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

December 02, 2015

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