

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-1731 of 2015 (O&M)
Date of Decision:12.5.2015

Amit Jyoti and another

....Petitioners

Versus

Ashwani Chadha and another

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Akshay Kumar Jindal, Advocate for the petitioners.

Respondent No.1 in person.

NAVITA SINGH, J.

1. It is submitted that compromise has been effected between the parties concerned and respondent No.1, who was the complainant, agreed to receive a sum of Rs.10,18,000/- under the settlement. The complainant Ashwani Chadha submits that he has received demand draft No.600101 drawn on Punjab National Bank, Model Town, Ambala City in full and final settlement. He has no objection if the petitioner is acquitted.

2. Counsel for the petitioner relied on Damodar S. Prabhu Vs. Sayed Babalal H. 2010 (5) SCC 663 where the Supreme Court laid down certain guidelines to impose costs in case of compounding of offence under Section 138 of the Negotiable Instruments Act at different stages. The Supreme Court mentioned in the said case that if a request was made before the court of Sessions or in the High Court in revision or appeal, compounding may be allowed. 15% of the cheque amount may be imposed as costs. The amount received by the complainant is stated to be inclusive of costs.

3. The compromise between the parties is, therefore, accepted.

4. The appeal is allowed and the petitioner is acquitted.

(NAVITA SINGH)
JUDGE

12.5.2015
ishwar