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

CRR No.1793 of 2014

Date of decision: April 28, 2015

Dr. Brahamanand Dwivedi

.....Petitioner

Versus

Adu Ram

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sanjeev Kr. Panwar, Advocate
for the petitioner.

Respondent in person.

SABINA, J

Petitioner had faced trial in a complaint under Section 138 of the Negotiable Instruments Act, 1881 ('Act' for short) filed by the respondent qua dishonour of cheque dated 28.10.2011 in the sum of ₹8,00,000/-.

Learned counsel for the petitioner has submitted that he does not challenge the conviction of the petitioner under Section 138 of the Act, but has submitted that petitioner be ordered to be released on probation as he has already paid the cheque amount in question to the complainant-respondent.

Complainant-respondent is present in person and has admitted the fact that he has received the amount in question and has further submitted that he has no objection, if the petitioner is ordered to be released on probation.

Accordingly, conviction of the petitioner under Section 138 of the Act is maintained. However, petitioner is ordered to be released on probation of good conduct on his executing a personal bond in the sum of ₹10,000/- with one surety in the like amount to the satisfaction of the Chief Judicial Magistrate, Gurgaon, for a period of one year. Petitioner shall further undertake that he shall keep peace and be of good behaviour during the period of probation. Petitioner is granted two weeks time to furnish the requisite probation bonds.

**(SABINA)
JUDGE**

April 28, 2015
m.singh