

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 200 of 2015 (O&M)
Date of decision : October 13, 2015

Hans Raj

..... Petitioner

v.

Aar Kay Industries

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Tarunveer Vashist, Advocate
for the petitioner.

Mr. Prateek Gupta, Advocate
for the respondent.

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

This revision petition has been filed by the petitioner against his concurrent conviction by the Courts below under Section 138 of the Negotiable Instrument Act.

Counsel for the petitioner has argued that the matter has been settled between the parties and in view of the guidelines framed by the Hon'ble Supreme Court in Damodar S. Prabhu v. Sayed Babalal.H. (2010)5 Supreme Court Cases 663, the petitioner be permitted for compounding of the offence, and he would deposit 15% of the cheque amount with the Punjab State Legal Service Authority.

Counsel for the respondent states that in view of the compromise, he would have no objection if the offence is compounded but states that in case of failure to deposit the aforesaid amount within the stipulated period, some condition be imposed.

In these circumstances, it is directed that if the petitioner deposits 15% of the cheque amount within a period of one month, he be permitted to compound the offence, and in case he fails to deposit the amount within the stipulated period, this order would be rendered inoperative and the conviction would be maintained and the petitioner would be liable to suffer the imprisonment imposed upon him. The amount of ₹ 1.50 lac deposited with the Registry of this Court is ordered to be released to the respondent.

This petition stands disposed of.

(AJAY TEWARI)
JUDGE

October 13, 2015
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