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

CRR No.2826 of 2015 (O&M)

Date of decision: August 10, 2015

Raj Pal Sharma and another

.....Petitioners

Versus

Surinderp Pal

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioners.

Surinder Pal, respondent-complainant in person
along with Mr. Viney Puri, Advocate.

SABINA, J

Petitioners had faced trial in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881 ('Act' for short) at the instance of the respondent.

Trial Court vide order dated 03.09.2014 ordered the conviction and sentence of the petitioners qua commission of offence punishable under Section 138 of the Act. The conviction and sentence of the petitioners, as ordered by the trial Court, was upheld by the Appellate Court vide order dated 10.07.2015. Hence, the present petition.

Learned counsel for the petitioners has submitted that now parties have amicably settled their dispute. The amount in dispute has been paid by the petitioners to the respondent. Learned counsel has further submitted that he does not challenge the conviction of the petitioners under

Section 138 of the Act, but has submitted that the sentence qua imprisonment of the accused Raj Pal Sharma be reduced to the period already undergone by him. Fine as imposed by the trial Court has already been deposited by the petitioners.

Complainant-respondent is present in person along with his counsel and has admitted the factum of compromise between the parties and has stated that he has received the amount in dispute from the petitioners. He has further submitted that he has no objection, if the sentence qua imprisonment of the accused Raj Pal Sharma is reduced to the period already undergone by him.

Accordingly, conviction of the petitioners under Section 138 of the Act is maintained. However, the sentence qua imprisonment of accused Raj Pal Sharma is reduced to the period already undergone by him. Accused Raj Pal Sharma, who is in custody, be set at liberty forthwith, if not required in any other case.

Petition stands disposed of, accordingly.

**(SABINA)
JUDGE**

August 10, 2015
mahavir