

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Rev. No.3336 of 2014

Date of decision:20.05.2015

Bodh Raj Havildar

.... Petitioner

Versus

Gurpal Singh

.... Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. D.S. Kahlon, Advocate for the petitioner.

Ms. Mandeep Kaur, Advocate for the respondent.

Navita Singh, J. (Oral)

It is submitted that the matter has been settled between the parties. Complainant filed his reply by way of affidavit stating that he has no grudge against the petitioner and has no objection if he is acquitted. He has also acknowledged that he received an amount of Rs.1,80,000/- as directed by this Court on 16.10.2014.

Counsel for the petitioner relied on Damodar S. Prabhu v. 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.

Counsel for the complainant affirms the compromise. The offence is allowed to be compounded.

The petition is allowed and the petitioner is acquitted.

20.05.2015
renu

(NAVITA SINGH)
JUDGE