

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Revision No.3515 of 2014 (O&M)

Date of decision: 13th January, 2015

Balbir Singh

...Petitioner

Versus

Inder Pal Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Lakhwinder Singh Mann, Advocate,
for the petitioner.

Mr. Gursimran Singh Bawa, Advocate,
for the respondent.

INDERJIT SINGH, J.

Petitioner Balbir Singh has filed this revision petition against respondent Inder Pal Singh, challenging the judgment dated 15.05.2014, passed by the learned Addl. Sessions Judge, Pathankot whereby the appeal filed by the petitioner against the judgment of conviction and order of sentence dated 23.11.2010 passed by learned Sub Divisional Judicial Magistrate, Pathankot vide which he was convicted and sentenced to undergo rigorous imprisonment for a period of 2 years and to pay a fine of Rs.5,000/- and in default of payment of fine to further undergo rigorous imprisonment for a period of 3 months under Section 138 of the Negotiable Instruments Act, 1881, has been dismissed.

Learned counsel for the petitioner does not dispute the concurrent findings of the Courts below regarding conviction. He

prays only for reduction of sentence.

Learned counsel for the respondent states that the parties have effected the compromise and respondent has already received the entire cheque amount. Learned counsel for the respondent further states that the respondent has no objection if the sentence awarded to the petitioner is reduced.

Keeping in view the facts and circumstances of the present case and the facts that the parties have effected the compromise; the respondent has already received the cheque amount and he has no objection in reduction of sentence awarded to him, the sentence awarded to him is reduced to the period already undergone by him, subject to payment of fine, if not paid.

Therefore, with the aforesaid modification, the instant revision petition stands partly allowed. The petitioner be set at liberty forthwith if his custody is not required in connection with any other case.

13th January, 2015
mamta

(INDERJIT SINGH)
JUDGE