

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Rev. No. 3577 of 2014
Date of decision : 07.07.2015

Deepak Sharma

..... Petitioner

versus

Tarsem Lal and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Arun Abrol, Advocate
for the petitioner**

**Mr. Vipin Mahajan, Advocate
for respondent No. 1**

ANITA CHAUDHRY, J. (ORAL)

The petitioner was sentenced to one year rigorous imprisonment alongwith fine under Section 138 of the Negotiable Instruments Act. The trial ended in conviction. The appeal also failed.

When the matter was taken up on 23.02.2015, the counsel representing the petitioner stated that the petitioner was ready to pay the cheque amount. It was also stated that the petitioner had undergone almost four months of custody. The petitioner was released on bail enabling him to pay. Subsequently, a draft of ₹ 90,000/- was handed over to respondent No. 1 which has been encashed.

Learned counsel for the petitioner prays for a lenient view. He states that entire cheque amount has been paid and the sentence be reduced to already undergone and the petitioner has undergone almost four months of custody.

Learned counsel appearing for the complainant states that the complainant has spent lot of amount on litigation and they were entitled to litigation charges.

The petitioner has remained in custody for 4 months out of 1 year awarded by the trial Court. The cheque amount of ₹ 90,000/- has also been paid, therefore, I am inclined to accept the prayer made. The sentence is modified and reduced to already undergone.

The petition is disposed of on the above terms.

July 07, 2015

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**(ANITA CHAUDHRY)
JUDGE**