

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 968 of 2015 (O&M)
Date of decision: 21.10.2015

Bhagat Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. J.S.Sekhon, AAG, Punjab.

Mr. Subhash Chand, Advocate
for respondent No. 2.

SABINA, J.

Petitioner had faced the trial qua commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 ('Act' for short) in a complaint filed by the complainant-respondent No. 2. Trial Court vide judgment/order dated 8.12.2014 ordered the conviction and sentence of the petitioner under Section 138 of the Act. Aggrieved against the said judgment/order of his conviction and sentence, petitioner preferred an appeal and the same was dismissed by the Appellate Court vide order dated 10.3.2015. Hence, the present petition by the petitioner.

Learned counsel for the petitioner has submitted that the parties have amicably settled their dispute as the entire amount in question has been paid by the petitioner to the complainant-respondent No. 2. Learned counsel for the petitioner has submitted that he does not challenge the conviction of the

petitioner under Section 138 of the Act but has submitted that sentence qua imprisonment of the petitioner be reduced to the period already undergone by him.

Learned counsel for respondent No. 2 has not opposed the submissions made by the learned counsel for the petitioner.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to reduce the sentence qua imprisonment of the petitioner to the period already undergone by him.

Accordingly, conviction of the petitioner under Section 138 of the Act is maintained. However, sentence qua imprisonment of the petitioner is reduced to the period already undergone by him.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

October 21, 2015

Gurpreet