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

Sr. No.216

CRR No. 1283 of 2012 (O&M)
DECIDED ON: April 12, 2016

DES RAJ

..PETITIONER

VERSUS

SUKHDEEP SINGH AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. G.L. Bajaj, Advocate,
for the petitioner.

Ms. Mansi Bansal, Advocate,
for respondent No.1.

Mr. J.S. Sekhon, AAG, Punjab,
for respondent No.2.

JASPAL SINGH, J. (ORAL)

This is a petition directed against the judgment of conviction and order of sentence dated February 11, 2010, passed by the trial Court in criminal complaint No.307, dated May 26, 2005, whereby the petitioner has been convicted under Section 138 of Negotiable Instruments Act, 1881 (for short 'Act')

and sentenced to undergo RI for one year and judgment dated February 10, 2012 passed by the Lower Appellate Court, whereby the sentence imposed by the learned Magistrate was reduced to 09 months and his appeal was dismissed with aforesaid modification in the quantum of sentence. Feeling aggrieved of the aforesaid orders, the petitioner approached this Court.

2. During the pendency of the instant revision petition, the parties showed their intention to settle the matter amicably and the matter was ultimately settled, in pursuance of which, cheque amounting to Rs.75,000/- has been received by the respondent-complainant. This fact has been categorically admitted by Ms. Mansi Bansal, Advocate, appearing on behalf of the respondent No.1. Besides, 15% of the cheque amount has already been deposited with the Punjab State Legal Services Authority in terms of the judgment titled "Damodar S. Prabhu Versus Sayed Babalal H., 2010(2) R.C.R. (Criminal) 851".

3. It is also an undisputed fact that the petitioner remained behind the bars since the date of dismissal of his appeal by the Lower Appellate Court vide judgment dated February 10, 2012 in Criminal Appeal No. 10, dated March 11, 2010 captioned as "Des Raj Versus Sukhdeep Singh" till the sentence imposed upon him was suspended by this Court vide

order dated May 01, 2012. The petitioner has already remained behind the bars for sufficient period.

4. Keeping in view the aforesaid aspects, particularly the compromise arrived at between the parties and the payment of cheque amount Rs.75,000/- by the petitioner to the complainant, the sentence imposed upon the petitioner is reduced to the period already undergone by the petitioner.

5. Accordingly, instant petition stands dismissed with above said modification in the quantum of sentence with no change in the fine clause.

April 12, 2016
Ankur

(JASPAL SINGH)
JUDGE