

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

CRR No.2193 of 2015 (O&M)

Date of decision: January 21, 2016

Vijay Kumar

...Petitioner

Versus

M/s Bansal Traders and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. K.S.Dadwal, Advocate
for respondent No.1.

Mr. P.S.Grewal, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner against the respondents, challenging the impugned judgment of conviction and order of sentence dated 12.10.2012 passed by learned Judicial Magistrate 1st Class, Hoshiarpur, vide which the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of ₹2000/- and in default of payment of fine, to further undergo simple imprisonment for a period of one month and also challenging the judgment dated 03.06.2015 passed by learned Addl. Sessions Judge, Hoshiarpur, vide which appeal filed by petitioner was dismissed.

Today, petitioner-Vijay Kumar paid Rs.20,000/- to the respondent namely Anand Bansal partner of respondent No.1. Counsel for respondent No.1 states that he has received full and final payment of the cheque as well as in respect of the decree passed by the learned Civil Court and now nothing remains due towards the petitioner.

Learned counsel for the petitioner submits that he does not dispute the concurrent findings of the Courts below regarding conviction and only prays for reduction of sentence. He further submits that the petitioner has already undergone one month as actual sentence out of total sentence of two years. He further submits that in view of the compromise arrived at between the parties, the sentence awarded to the petitioner may be reduced.

Keeping in view the fact that entire amount has already been paid and the matter being compromised between the parties, the sentence of the petitioner is reduced to the sentence already undergone by him. However, the sentence of fine and default thereof shall remain the same. The petitioner is directed to deposit the fine within two months from the date of this judgment.

With the above-said modification in the sentence, the present revision petition is partly allowed.

January 21, 2016
rajesh.k.khurana

(INDERJIT SINGH)
JUDGE