

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27479-2017 (O&M)

Date of decision: 31.07.2017

Ravinder Singh

... Petitioner

versus

Dharam Pal

.... Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL.

Present: Mr. Gurmeet Singh, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking direction to the Appellate Court to decide his application for compounding of offence under Section 138 of the Negotiable Instruments Act in complaint No. 87/4 dated 22.05.2009 titled as Dharampal Vs. Ravinder Singh.

Learned counsel for the petitioner contends that he has moved an application for compounding of offence before the Lower Appellate Court on 05.06.2017 along with the demand draft for the entire amount of the cheque. He undertakes that he shall also deposit 15% of the amount before the Lower Appellate court within one month.

Learned counsel for the petitioner has cited the judgment of coordinate Bench of this Court in CRM-M-4019-2017 Seema Vs. Jasbir Singh Kathuria whereby the Lower Appellate Court was directed to decide the issue regarding compounding of offence by following the guidelines laid down by the Supreme Court in Damodar S. Prabhu Vs.

Sayed Babalal H. AIR 2010 SC 190.

In view of the undertaking of the counsel for the petitioner to deposit 15% of the amount before the Lower Appellate Court within a period of one month, the petition stands disposed of with the direction that upon the satisfaction that the entire amount in terms of the judgment of Supreme Court in Damodar S. Prabhu Vs. Sayed Babalal H (supra) has been deposited, the Lower Appellate Court shall consider the application for compounding of offence in accordance with law.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 31, 2017

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Whether speaking/non-speaking: Yes/No

Whether reportable : Yes/No