

CRR No. 908 of 2007 (O/M)
Date of decision : 6.12.2017

..... Revisionist

Versus

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

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

KULDIP SINGH J. (ORAL)

Custody certificate filed in Court today and same is taken on record.

Heard.

Revision has been pressed only on the point of quantum of sentence.

A cheque bearing No. 034321 for Rs. 35000/-, issued by present revisionist on 2.8.1999, was dishonoured. Revisionist was convicted by the learned Chief Judicial Magistrate, Jalandhar, under Section 138 of the Negotiable Instruments Act, 1881, and was sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs. 2000/-, in default thereof, to further undergo rigorous imprisonment for one and a half month, vide judgment of conviction and order of sentence dated 12.9.2006, which was upheld by the learned Additional Sessions Judge (Adhoc), Jalandhar, on 11.5.2007.

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As per the custody certificate, revisionist has already undergone total sentence of 3 months and 15 days, including remission of 8 days.

Considering the period already undergone by revisionist, while maintaining the conviction under Section 138 of the Negotiable Instruments Act, 1881, the sentence of revisionist is reduced to the period already undergone by him.

With the abovenoted modification in the sentence, revision is dismissed.

(KULDIP SINGH)
JUDGE

6.12.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No