

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

CRR No.595 of 2009 (O&M)

Date of decision : November 13, 2017

Suraj Mal Tanwar

..... Petitioner

Versus

Abhey Ram and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sudhanshu Makkar, Advocate for the petitioner.

Mr. R.P. Daaria, Advocate for respondent No.1.

Mr. R.K. Makkad, DAG, Haryana.

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 of the petitioner has been filed in the Court today and the same is taken on record. It shows that the petitioner has undergone the actual sentence of 1 month and 6 days.

Learned counsel for the petitioner had paid the remaining amount of ₹1,50,000/- to the learned counsel for respondent No.1-complainant and the original receipt thereof has been placed on file.

Learned counsel for the complainant affirmed the said factum and stated that respondent No.1-complainant has no objection if the petitioner is acquitted of the notice of accusation served upon him as his claim has satisfied.

Since the petitioner is unwilling to pay the litigation costs, as per authority of Hon'ble the Supreme Court delivered in case of “***Damodar***

S. Prabhu v Sayed Babalal H., 2010(5) SCC 663, therefore, the sentence of

the petitioner is reduced to the period already undergone by him.

With the abovenoted modification, the present revision petition
is dismissed.

(KULDIP SINGH)
JUDGE

November 13, 2017
sarita

Whether speaking / reasoned	Yes
Whether Reportable:	No