

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR-2916-2014 (O&M)

Date of decision: 21.11.2017

Gurshaib Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: None for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Vikas Gupta, Advocate for respondent No. 2.

RAMENDRA JAIN, J.

1. None has put in appearance on behalf of the petitioner.
2. Learned counsel for complainant/respondent No. 2-Laljit Singh submits that the petitioner has not paid compromised amount of ₹ 1 lakh, in compliance of the compromise dated 19.02.2016, despite lapsing of more than 1½ year.
3. Heard.
4. Briefly stated, in a complaint case filed by complainant/respondent No. 2, under Section 138 of the Negotiable Instruments Act, 1881, the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of 2 years, vide judgment of conviction and order of sentence dated 23.04.2012. He was also directed to pay ₹ 2 lakhs to complainant/respondent No. 2 as compensation. Being aggrieved, the

petitioner had approached the Ist Appellate Court but remained

unsuccessful as his appeal was dismissed vide judgment dated 30.07.2014, affirming the aforesaid judgment of conviction and order of sentence.

5. During its pendency, the instant revision was sent to the Mediation and Conciliation Center of this Court for amicable settlement in between the parties in which the petitioner agreed to pay ₹ 1 lakh in terms of Settlement/Agreement dated 19.02.2016, which he has not paid.

6. I have carefully gone through the judgments passed by both the Courts below and find no illegality or perversity in the same. Therefore, the instant revision stands dismissed on merit as well as for want of prosecution for non-adhering to the compromise voluntarily done by the petitioner with the complainant-respondent No. 2, which amounts to gross abuse of the process of law.

7. Petitioner-Gurshaib Singh, is on bail and the bail bonds furnished by him stands cancelled. A copy of this order be forwarded to the learned Chief Judicial Magistrate, Tarn Taran, who would issue re-arrest warrants of the petitioner to undergo the remainder of the sentence.

November 21, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No