

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

Sr. No.230-2

(1)

CRR No.1901 of 2016 (O&M)

M/s Harsargun Road Lines and another

....Petitioners

versus

State of Haryana and another

....Respondents

(2)

CRR No.1218 of 2016 (O&M)

M/s Harsargun Road Lines and another

....Petitioners

versus

State of Haryana and another

....Respondents

(3)

CRR No.1906 of 2016 (O&M)

M/s Harsargun Road Lines and another

....Petitioners

versus

State of Haryana and another

....Respondents

Date of decision : 22.02.2017

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Prashant Bansal, Advocate,
for the petitioner(s).

Mr. Neeraj Yadav, AAG, Punjab.

Mr. Mohan Singh Chauhan, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

This order disposes of three Criminal Revision petitions being *CRR No.1901 of 2016, CRR No.1218 of 2016 and CRR No.1906 of 2016.*

The facts in brief, which may be noticed to adjudicate upon the afore-referred petitions are that the petitioner faced trial in three separate complaints filed under Section 138 of the Negotiable Instruments Act, 1881. Through three separate judgments dated 14.08.2015, he was convicted and sentenced for 02 years imprisonment in all three cases. However, it was directed that the sentences awarded to the petitioner would run concurrently. The petitioner was further directed to pay compensation to the respondent-complainant which was the cheque amount alongwith interest at the rate of 9% per annum.

On 12.08.2016, these petitions came up for hearing before this Court, on which date, learned counsel for the petitioner submitted that he did not wish to press the petitions on merits but prayed that the same be considered only qua reduction in the quantum of sentence.

Whether in the facts and circumstances of the case, the sentence awarded to the petitioner deserves any reduction?

In my opinion, no.

The details with regard to the cheques, which had been issued by the petitioner and were dishonoured resulting in his conviction, are tabulated as under:-

CRR No.1901 of 2016

<i>Sr. No.</i>	<i>Cheque No.</i>	<i>Dated</i>	<i>Amount</i>	<i>Dishonored on</i>
1.	320022218	09.07.2013	Rs.34,000-00	08.10.2013
2.	320022219	12.07.2013	Rs.35,000-00	-Do-
3.	320022220	14.07.2013	Rs.33,000-00	-Do-
4.	320022222	21.07.2013	Rs.20,000-00	-Do-
5.	320022221	22.07.2013	Rs.30,100-00	-Do-

<i>Sr. No.</i>	<i>Cheque No.</i>	<i>Dated</i>	<i>Amount</i>	<i>Dishonored on</i>
6.	320022223	24.07.2013	Rs.36,200-00	-Do-
7.	320022224	28.07.2013	Rs.35,400-00	-Do-
8.	320022225	30.07.2013	Rs.2000-00	-Do-

CRR No.1906 of 2016

<i>Sr. No.</i>	<i>Cheque No.</i>	<i>Dated</i>	<i>Amount</i>	<i>Dishonored on</i>
1.	320222226	02.08.2013	Rs.40,647-00	27.10.2013
2.	320222227	04.08.2013	Rs.32,000-00	-Do-
3.	320222228	05.08.2013	Rs.36,000-00	-Do-
4.	320222233	08.08.2013	Rs.33,000-00	-Do-
5.	320222234	12.08.2013	Rs.32,000-00	-Do-
6.	320222235	18.08.2013	Rs.18, 500-00	-Do-
7.	320222236	21.08.2013	Rs.22,000-00	-Do-
8.	320222237	23.08.2013	Rs.31,500-00	-Do-
9.	320222238	25.08.2013	Rs.32,000-00	-Do-
10.	320222239	28.08.2013	Rs.25,000-00	-Do-

CRR No.1218 of 2016

<i>Sr. No.</i>	<i>Cheque No.</i>	<i>Dated</i>	<i>Amount</i>	<i>Dishonored on</i>
1.	320222240	02.09.2013	Rs.26,000-00	24.10.2013
2.	320222217	06.09.2013	Rs.35,000-00	-Do-
3.	320222241	06.09.2013	Rs.29,000-00	-Do-
4.	320222242	20.09.2013	Rs.31,100-00	-Do-
5.	320222243	23.09.2013	Rs.34,000-00	-Do-
6.	320222244	25.09.2013	Rs.29,500-00	-Do-
7.	320222245	27.09.2013	Rs.31,000-00	-Do-
8.	320222213	23.10.2013	Rs.30,000-00	-Do-
9.	320222214	24.10.2013	Rs.30,000-00	-Do-
10.	320222216	24.10.2013	Rs.35,000-00	-Do-

Thus, the petitioner has with consistence issued cheques in favour of the respondent-complainant which one after the other were dishonoured. It is further clear that at the time, he had issued the cheques, he knew that were not going to be honoured. The total amount, for which the cheques were issued and dishonoured, is ₹ 8,38,947/-.

On the last date of hearing, I had acceded to the request made by counsel for the petitioner to seek instructions whether the petitioner was willing to pay the awarded compensation to the contesting respondent. After seeking instructions, learned counsel for the petitioner states that the petitioner has no such intention.

In view of the above, I feel that the petitioner deserves no leniency.

Dismissed.

(DEEPAK SIBAL)
JUDGE

February 22, 2017

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- (i) Whether speaking/reasoned Yes/No*
- (ii) Whether reportable Yes/No*