

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 1920 of 2016 (O/M)
Date of decision : 4.8.2017

Hemant Arora and another Revisionists

Versus

State of Haryana and another Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Nipun Vashisht, Advocate, for revisionists.

Mr. Ripu Daman, Assistant A.G. Haryana.

Mr. Vaibhav Prashar, Advocate, for respondent No. 2.

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 ?

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KULDIP SINGH J. (ORAL)

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

This is revision against the judgment dated 6.5.2016, passed by the learned Additional Sessions Judge, Faridabad, affirming the judgment of conviction dated 7.10.2013 and order of sentence dated 11.10.2013, passed by the learned Judicial Magistrate 1st Class, Faridabad, vide which revisionist No. 1 was convicted under Section 138 of the Negotiable Instruments Act, 1881, and was sentenced to undergo rigorous imprisonment for a period of one year and fine to the tune of Rs. 11,68,000/-, which was to be paid to complainant as compensation. In case of default of payment of fine, accused was to undergo simple imprisonment for six months.

The learned counsel for revisionists presses the petition only on the quantum of sentence.

Custody certificate has been filed by the State, which shows that revisionist No. 1 has already undergone total sentence of 1 year (as on 4.5.2017), including remission. In this case, revisionist No. 1 has already undergone substantive sentence, awarded to him. Now, the sentence in default of payment of fine is going on.

Keeping in view the fact that fine of Rs. 11,68,000/- is not paid, I do not find any ground to reduce the sentence in lieu of fine. Hence, present revision is dismissed.

(KULDIP SINGH)
JUDGE

4.8.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No