IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR 3172-2015 (O&M)
Date of decision: 27.11.2017

Sukhdev Kumar

…..Petitioner

versus

State of Punjab and another

……Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.G.K.Mann, Advocate for the petitioner
Ms.Monika Jalota, DAG Punjab
Mr.Jitender Bansal, Advocate for
Mr.Ajay Singla, Advocate for the respondent no.2

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

Kuldip Singh, J. (Oral)

Learned counsel for the petitioner has produced an original receipt No.100 dated 7.11.2017, showing that the petitioner has deposited Rs.15,000/- with Legal Services Committee of this Court being 15% of the settled amount. Custody certificate dated 26.11.2017 filed in Court today and the same is taken on record.

From the order dated 28.9.2017, it comes out that the parties have compromised the matter and the complainant has received the entire cheque amount of Rs.one lakh and he has no objection if the petitioner is acquitted of the notice of accusation served upon him.

Since, as per judgment of the Apex Court in *Damodar S. Prabhu vs. Sayed Babalal H., 2010 (5) SCC 663* the petitioner has already paid the compounding fee and the offence under Section 138 of Negotiable Instruments Act, 1881 has been lawfully compounded, therefore, the present

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revision petition is allowed. Judgment and order of sentence passed by both the Courts below are set aside and the petitioner stands acquitted of the notice of accusation served upon him. Bail bonds and surety bonds stands discharged.

27.11.2017 **(Kuldip Singh)**
gk **Judge**

Whether speaking/ reasoned: Yes
Whether Reportable: No

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