

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

**CRR No.3348 of 2014 (O&M)
Date of decision : December 19, 2017**

Sh. Shoba Ram

..... Petitioner

Versus

Housing and Urban Development Corporation Ltd. and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Shailender Kashyap, Advocate for the petitioner.

Mr. Rose Gupta, Advocate for
Mr. A.P.S. Guliani, Advocate for respondent No.1.

Ms. Ashima Mor, APP, U.T., Chandigarh.

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)

Learned counsel for the petitioner had produced the true original receipt dated 20.10.2014, showing that the cheque amount of ₹17,508/- was deposited before the learned Judicial Magistrate 1st Class, Chandigarh.

In the present case, the cheque was issued by the petitioner for Rs.17,508/-, which was dishonoured with the remarks 'insufficient funds', for which the petitioner was convicted for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and was sentenced to undergo simple imprisonment for three months and to pay compensation to the tune of ₹20,000/- vide judgment of conviction and order of sentence dated 25.07.2013 passed by the learned Judicial

Magistrate 1st Class, Chandigarh.

The appeal against the said judgment and order was dismissed by the learned Addl. Sessions Judge, Chandigarh, vide judgment dated 01.10.2014.

Custody certificate filed in the Court today is taken on record. As per custody certificate, the petitioner has undergone actual sentence of 20 days.

Considering the fact that the petitioner has deposited the cheque amount, the substantive sentence awarded to the petitioner is reduced to the period already undergone by him i.e. 20 days. However, the remaining part of the sentence is maintained.

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

(KULDIP SINGH)
JUDGE

December 19, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No