

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4102 of 2015 (O/M)
Date of decision : 15.9.2017

Kundan Singh Revisionist

Versus

Krishan Lal and another Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. J.S. Grewal, Advocate, for revisionist.

Mr. Peeyush Gagneja, Advocate, for respondent No. 1.

Ms. Monika Jalota, DAG Punjab, 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)

Heard.

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

Revisionist was convicted by the learned Judicial Magistrate 1st Class, Abohar, for offence under Section 138 of the Negotiable Instruments Act, 1881, and was sentenced to undergo rigorous imprisonment for six months and to pay a fine of Rs. 2,000/-, in default thereof, to further undergo rigorous imprisonment for fifteen days, vide judgment of conviction and order of sentence dated 26.4.2013. The said judgment was upheld in appeal, vide judgment dated 21.9.2015, passed by the learned Additional Sessions Judge, Fazilka.

Revision is pressed on the point of quantum of sentence only.

It comes out that present revisionist had issued a cheque No.

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506024, dated 10.2.2009, drawn on State Bank of Bikaner and Jaipur, for Rs. 1,00,000/-, in favour of respondent-complainant. Revisionist is not willing to pay the cheque amount. According to custody certificate dated 14.9.2017, he has undergone actual sentence of 3 months and 9 days, including remission.

Keeping in view the fact that revisionist is not willing to pay anything, there is no ground to reduce the sentence. Hence, revision is dismissed.

(KULDIP SINGH)
JUDGE

15.9.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No