

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

**CRR No.3228 of 2016 (O&M)
Date of decision : October 11, 2017**

Major Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurbir Singh Sidhu, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.
None 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 ?

KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner has produced the original receipts, showing that a sum of Rs.19,000/- being the 10% of the settled amount, in compliance with order dated 03.10.2017 passed by this Court, in terms of the authority of the Apex Court delivered in case of ***“Damodar S. Prabhu vs Sayed Babalal H., 2010(5) SCC 663***, has been deposited with the Legal Service Committee of this Court. The photocopies thereof have been retained on file.

On the last date of hearing, it was revealed that the parties have effected the compromise dated 14.09.2017 (Annexure P-1), vide which against the cheque amount of ₹2,15,000/-, the dispute was settled at ₹1,90,000/-, which was received by the complainant and he had no objection if the present petition is allowed and the petitioner is acquitted of the notice of accusation served upon him. The petitioner was directed to deposit 10% of the settled amount with the Legal Services Committee of this Court, which has been deposited.

Since, the dispute has been settled between the parties, the judgment of conviction and order of sentence dated 23.02.2015 passed by the learned Judicial Magistrate 1st Class, Patiala, convicting the petitioner for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentencing him to undergo rigorous imprisonment for 9 months and to pay compensation equivalent to the cheque amount as well as the judgment dated 18.12.2015 passed by the learned Addl. Sessions Judge, Patiala, dismissing the appeal of the petitioner filed against his conviction and sentence, are hereby set aside. The bail bonds and surety bonds of the petitioner stand discharged.

As such, the present petition is allowed.

(KULDIP SINGH)
JUDGE

October 11, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No