

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

**CRR No.577 of 2014 (O&M)
Date of decision : October 03, 2017**

Haripal **Petitioner**

Versus

Tirth Ram **Respondent**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Palvinder Singh Sarna, Advocate for the petitioner.

Ms. Sarbhjeet Kaur, Advocate for
Mr. Gautam Dutt, 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 states that the respondent has left his house and he is unable to trace his correct address.

The petitioner was convicted by the learned Judicial Magistrate 1st Class, Chandigarh for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to undergo rigorous imprisonment for 6 months and to pay a fine of ₹3,000/-, in default of payment of fine to further undergo simple imprisonment for 2 months, vide judgment of conviction and order of sentence dated 10.12.2011. His appeal was dismissed by the learned Addl. Sessions Judge, Chandigarh, vide judgment dated 01.02.2014.

Learned counsel for the petitioner states that as coming out from the order dated March 24, 2014, the petitioner had deposited ₹20,000/- as compensation in cash before this court. The cheque was of ₹12,000/-.

Therefore, he prays for taking a lenient view.

Considering that the cheque amount along with ₹8,000/- over and above the cheque amount has been paid by the petitioner, a lenient view is taken. The substantive sentence of rigorous imprisonment of six months awarded to the petitioner is reduced to the period already undergone by him. However, the remaining part of the sentence is maintained.

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

A sum of ₹20,000/- deposited by the petitioner is ordered to be remitted to the complainant.

(KULDIP SINGH)
JUDGE

October 03, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No