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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3759 of 2016 (O/M)
Date of decision : 25.8.2017

Mehnga Singh

..... Revisionist

Versus

Punjab Agriculture Development Bank Limited and anr Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. I.S. Saggu, Advocate, for,
Mr. B.S. Aulakh, Advocate, for revisionist.

Mr. Rajdeep Singh Gill, Advocate, for,
Mr. Iqbal Singh Mann, Advocate, for respondent No. 1.

Mr. Arpinder Singh Sidhu, 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.

In this case, a cheque bearing No. 718126 dated 11.9.2014, for Rs. 14,36,400/-, issued by present revisionist, was dishonoured and consequently he was convicted under Section 138 of Negotiable Instruments Act, 1881, and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs. 2,000/-, in default thereof, to further undergo rigorous imprisonment for seven days, vide judgment of conviction and order of sentence dated 5.10.2015, passed by the learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib. Revisionist went in appeal and the same was also dismissed, vide judgment dated 26.9.2016, passed by the learned

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Additional Sessions Judge, Sri Muktsar Sahib.

As per the custody certificate dated 24.8.2017, revisionist has already undergone actual sentence of 10 months and 24 days. The prayer of the learned counsel for revisionist is that, however, one month is left. Revisionist may be sentenced to the period already undergone by him.

Keeping in view the fact that revisionist has undergone the sentence of almost 11 months out of the sentence of one year rigorous imprisonment awarded by the lower Court to revisionist under Section 138 of the Negotiable Instruments Act, 1881, the sentence is reduced to the period already undergone by him. He be released forthwith, if not required in any other case, on payment of fine, if not already paid.

In view of the above, present revision is disposed of.

(KULDIP SINGH)
JUDGE

25.8.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No