

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

**CRR No. 559 of 2016 (O&M)
Date of decision : September 25, 2017**

Bansi Lal Petitioner

Versus

Mohinder Pal Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Kamal Narula, Advocate for the petitioner.

Mr. A.K. Khunger, Advocate for the respondent.

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)

The petitioner was convicted for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for one year and to pay a fine of ₹2,000/-, in default of payment of fine to further undergo rigorous imprisonment for one month by the learned Judicial Magistrate 1st Class, Abohar, vide judgment of conviction and order of sentence dated 18.07.2014. The appeal filed against the said conviction and sentence was dismissed by the learned Addl. Sessions Judge, Fazilka, vide judgment dated 13.01.2016.

In the revision filed before this Court, the matter was referred to the Mediation and Conciliation Centre of this Court, wherein both the parties had arrived at the settlement, which is as under:

“6. The following settlement has been arrived at between the parties hereto:

a) Both the parties have agreed to settle the matter for Rs.30,000/- (Rupees Thirty Thousand Only) as full and final settlement of all claims of second party against the first party. It is agreed that first party will pay Rs.30,000/- (Rupees Thirty Thousand Only) within six months from 20.08.2016 in Six equal installments of Rs.5,000/- each as under:

- i) First installment of Rs.5,000/- on 20.08.2016.*
- ii) Second installment of Rs.5,000/- on 20.09.2016.*
- iii) Third installment of Rs.5,000/- on 20.10.2016.*
- iv) Fourth installment of Rs.5,000/- on 20.11.2016.*
- v) Fifth installment of Rs.5,000/- on 20.12.2016.*
- vi) Sixth installment of Rs.5,000/- on 20.01.2017.*

The first party shall pay all the installments in cash to the second party and the second party will give receipt against the amount which he received. In case of default of any of the installment the Revision Petition filed by the first party shall be deemed to have been dismissed and the first party shall serve the remaining sentence imposed by the Courts below.”

On behalf of the complainant-respondent, it is stated that only first two installments have been paid and that remaining installments have not been paid.

Learned counsel for the petitioner was directed to contact the petitioner as to whether he is willing to pay the entire amount as per settlement or not?

Learned counsel for the petitioner states that the petitioner is not coming forward despite the messages sent to him through the complainant-respondent.

It being so, in terms of the settlement, the present revision petition is dismissed. The petitioner be re-arrested and be committed to jail to undergo remaining part of the sentence.

(KULDIP SINGH)
JUDGE

September 25, 2017
sarita

Whether speaking / reasoned	Yes
Whether Reportable:	No