

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

CRR No. 1419 of 2017 (O&M)

Date of Decision: 30.08.2017

RAJ KUMAR NAGPAL

... *Petitioner*

VS.

STATE OF PUNJAB AND ANOTHER

...*Respondents*

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ashok Kumar Khunger, Advocate,
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

Mr. Digvijay Nagpal, Advocate,
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 presses the present revision only on the point of quantum of sentence.

Custody Certificate dated 30.08.2017 which has been filed in the Court today shows that the petitioner has undergone total sentence of 6 months and 7 days including remissions.

The Courts below had convicted the petitioner under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for 1 year and to pay a fine of ₹ 300/- and in default thereof to further undergo rigorous imprisonment for 30 days. The petitioner is alleged to have issued a cheque amounting to ₹3,50,000/- which bounced.

Considering the amount of cheque and considering the fact that the petitioner has already undergone the total sentence of 6 months and 7 days including remissions, the sentence of rigorous imprisonment for 1 year

imposed under Section 138 of the Negotiable Instruments Act, 1881 is hereby ordered to be reduced to the sentence of rigorous imprisonment for 9 months under the said Section.

With the aforesaid modification in the quantum of sentence, the revision petition stands dismissed.

August 30, 2017
Suresh Kumar

[KULDIP SINGH]
JUDGE

		✓	
<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	<i>/ No</i>
			✓
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>/ No</i>