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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRR No. 1527 of 2017 (O&M)
Date of Decision: 24.10.2017

Varun Mayor

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. G.S. Jagpal, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab,
for respondent No. 1.

Mr. Varun Sharma, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

CRM No. 28252 of 2017:

Vide this application, applicant-petitioner prays for granting
permission to compound the offence.

In view of the submissions made in the application, the same is
allowed.

Application stands disposed off.

CRR No. 1527 of 2017:

Ld. Counsel for the applicant-petitioner submits that the

disputed cheque amount has already been paid to the respondent No. 2/complainant, which contention is accepted by Ld. Counsel appearing for the State-respondent No. 1.

Receipt No. 910, dated 11.05.2017, showing deposit of the compounding fees, amounting to ₹ 31,500/- (Rupees Thirty One Thousand and Five Hundred Only) (15% of the cheque amount) is also placed on record in compliance of the earlier order passed on 28.04.2017.

In the given circumstances, the instant application under Section 320 of the Code of Criminal Procedure read with Section 482 of the Code of Criminal Procedure is allowed, in view of the decision of the Apex Court in “**Damodar Singh Prabhu Vs. Sayed Babalal H**”, **2010 (2) R.C.R. (Criminal) 851**.

Consequently, the criminal proceedings arising out of the complaint filed against the applicant-appellant under Section 138 of the Negotiable Instruments Act, 1881, and its subsequent conviction are all set aside.

Disposed off.

24.10.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No