

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

**CRR No.1710 of 2017 (O&M)
Date of decision : December 05, 2017**

Kishore Singh

..... Petitioner

Versus

Avinash Chander and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Davinder Singh Khurana, Advocate for the petitioner.

None for respondent No.1.

Ms. Monika Jalota, DAG, Punjab.

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)

Custody certificate filed in the Court today is taken on record.

Learned counsel for the petitioner has produced the photocopy of the receipt, showing that in terms of the last order, the litigation cost has been deposited with the Legal Services Committee of this Court.

Heard.

As reflected in the last order dated 31.10.2017, the parties have compromised the matter. The complainant had received ₹32,000/-. He raised on objection, if the judgment of both the Courts below are set aside and the petitioner is acquitted of the notice of accusation served upon him. The petitioner was directed to deposit 15% of the cheque amount with the Legal Services Committee of this Court, in terms of the judgment of Apex Court

in ***“Damodar S. Prabhu vs Ssayed Babalal H., 2010(5) SCC 663.***

As per office report as well as the photocopy of the receipt produced by the learned counsel for the petitioner shows that the said amount has been deposited with the Legal Services Committee of this Court.

Since, the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 has been lawfully compounded, therefore, the judgment of conviction and order of sentence dated 19.08.2015 passed by learned Sub Divisional Judicial Magistrate, Jalalabad as well as the judgment dated 17.04.2017 passed by learned Addl. Sessions Judge, Fazilka, are hereby set aside. The petitioner is acquitted of the notice of accusation served upon him. His bail bonds and surety bonds stand discharged.

As such, the present revision petition is allowed.

(KULDIP SINGH)
JUDGE

December 05, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No