

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

CRL. REVISION No.1900 OF 2017 (O&M)
DATE OF DECISION : 19th MAY, 2017

M/s. Sony Studio and Another **Petitioners**
Versus
State of UT Chandigarh & Another **Respondents**

CRL. REVISION No.1901 OF 2017 (O&M)

M/s. Sony Studio and Another **Petitioners**
Versus
State of UT Chandigarh & Another **Respondents**

CRL. REVISION No.1903 OF 2017 (O&M)

M/s. Sony Studio and Another **Petitioners**
Versus
State of UT Chandigarh & Another **Respondents**

CRL. REVISION No.1904 OF 2017 (O&M)

M/s. Sony Studio and Another **Petitioners**
Versus
State of UT Chandigarh & Another **Respondents**

CRL. REVISION No.1905 OF 2017 (O&M)

M/s. Sony Studio and Another **Petitioners**
Versus
State of UT Chandigarh & Another **Respondents**

CRL. REVISION No.1906 OF 2017 (O&M)

M/s. Sony Studio and Another **Petitioners**
Versus
State of UT Chandigarh & Another **Respondents**

CRL. REVISION No.1907 OF 2017 (O&M)

M/s. Sony Studio and Another **Petitioners**

Versus

State of UT Chandigarh & Another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Nakul Sharma, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

CRM-17059-2017, CRM-17062-2017, CRM-17071-2017, CRM-17074-2017, CRM-17077-2017, CRM-17080-2017 & CRM-17083-2017

These applications are allowed and the documents are taken on record, subject to all just exceptions.

Main Cases

There is a motion in all the seven petitions for compounding/compromise.

Notice of motion returnable forthwith.

Mr. Dilpreet Singh Gandhi, Advocate, who is present in Court, puts in appearance on behalf of the complainants in all the cases and filed his power of attorney.

Learned counsel for the petitioners submits that the petitioners were convicted by the trial magistrate in all these seven cases under Section 138 Negotiable Instruments Act. The total amount under the cheques which were dishonoured was in the sum of ₹10,68,650/-. Presently the petitioner is in the jail as a result of the dismissal of the appeal in all the seven cases. Learned counsel for the petitioners submits that by now the petitioners have repaid the entire amounts to the

complainants and therefore, the offences for which the petitioners stood convicted be compounded.

Learned counsel for the complainant has no objection and on instructions stated that indeed the compromise has taken place and the entire money has been paid back and the complainants in all the seven cases do not have any further grievance, and have no objection for compounding.

Statement made by both the counsel for the parties are accepted. It cannot however, be forgotten that the machinery of the Union Territory Chandigarh was utilized and that is why the compensatory cost ought to be paid to the Union Territory Chandigarh. Learned counsel for the petitioners fairly states that in all these cases the petitioners are ready to pay non-refundable costs of ₹50,000/- for the expenditure incurred for the conduct of the cases by the courts below.

In that view of the matter, an amount of ₹50,000/- collectively be deposited by the petitioners within fifteen days with the office of Deputy Commissioner, Chandigarh, which shall be forfeited to the Union Territory Chandigarh.

In view of the above discussion, I make the following order:

ORDER

- (i) Crl. Revision No.1900 OF 2017, Crl. Revision No.1901 of 2017, Crl. Revision No.1903 of 2017, Crl. Revision No.1904 of 2017, Crl. Revision No.1905 of 2017, Crl. Revision No.1906 of 2017 & Crl. Revision No.1907 of 2017, are disposed of on the basis of compounding/compromise as stated hereinabove.

- (ii) The impugned judgment dated 25.02.2016 order of sentence dated 26.02.2016 passed by learned Judicial Magistrate, Chandigarh and judgment dated 09.05.2017 passed by learned Additional Sessions Judge, Chandigarh are quashed by way of compounding/compromise.
- (iii) The petitioner(s) in all the above petitions shall be released forthwith, if not required in any other cases.
- (iv) The petitioner(s) shall together in all the seven cases pay compensatory non-refundable costs of ₹50,000/- with the office of Deputy Commissioner, Chandigarh, which shall be forfeited to the Union Territory Chandigarh, within fifteen days from today. In default of non-payment of costs amount as aforesaid, the judgments impugned shall stand revived.
- Disposed of accordingly.

19th MAY, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

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