

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2248-2017 (O&M)
Date of decision: 01.09.2017

Pardeep Kaur

.....Petitioner

versus

Roop Singh and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.P.K.S.Phoolka, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

Learned counsel for the petitioner has placed on record a copy of the receipt showing that in terms of the last order passed by this Court 15% of the cheque amount i.e. Rs.22,500/-has been deposited before District Legal Services Authority, Bathinda.

Heard.

It comes out that on the last date of hearing both the parties have stated that they have effected compromise. A compromise deed was also produced before this Court. The petitioner was directed to deposit 15% of the cheque amount with the District Legal Services Authority, Bathinda. It comes out that as per judgment of Hon'ble Supreme Court in Damodar S. Prabhu vs. Sayed Babalal H., 2010 (2) SCC (Civil) 520, 15% of the cheque amount has been deposited.

Since, the offence has been lawfully compounded, the judgment and order dated 8.2.2017 passed by learned Judicial Magistrate 1st Class,

Bathinda convicting the petitioner under Section 138 of Negotiable Instruments Act, 1881 and sentencing him to undergo rigorous imprisonment for one year and pay a fine of Rs.2000/-, in default of payment of fine to further undergo simple imprisonment for 15 days and judgment dated 2.6.2017, passed by learned Additional Sessions Judge, Bathinda, affirming the judgment of learned Judicial Magistrate 1st Class, Bathinda by dismissing the appeal, are hereby set aside. The petitioner is acquitted of the notice of accusation served upon him.

The petition is accordingly allowed.

01.09.2017

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:	Yes
Whether Reportable:	No