

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 2330 of 2017 (O&M)

Date of Decision: 30.08.2017

Ashok Kumar

... Petitioner

VS.

Luxmi Enterprises through its proprietor

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. H.S. Multani, Advocate,
for the petitioner.

Mr. Vishal Garg, Advocate,
for respondent.

Mr. Anil Kumar Lamdharia, APP,
for U.T. Chandigarh.

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 petition only on the point of quantum of sentence.

The petitioner was convicted under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for a period of 4 months and to pay compensation of ₹2,50,000/- and in default thereof to further undergo simple imprisonment for 30 days, vide judgment of conviction dated 11.03.2016 and order of sentence dated 15.03.2016 passed by the learned Judicial Magistrate Ist Class, Chandigarh. The appeal against the said judgement of conviction and order of sentence has been dismissed vider order dated 10.04.2017 passed by the learned Additional Sessions Judge Chandigarh.

Custody Certificate dated 07.08.2017 shows that as on today the petitioner has undergone sentence of 3 months and 16 days including remissions. Meaning thereby, only 14 days of sentence are left.

Considering the facts and circumstances of the present case the sentence of the petitioner is hereby ordered to be reduced to the period already undergone by him and he be released forthwith, if not required in any other case.

In view of the above, the present petition stands disposed of.

August 30, 2017
Suresh Kumar

[KULDIP SINGH]
JUDGE

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