

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2897 of 2017 (O/M)
Date of decision : 30.10.2017

Ram Niwas Revisionist
Versus
Jai Dev Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.S. Kharb, Advocate, for revisionist.
Mr. Ashok Tyagi, Advocate, for respondent.

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 ?
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KULDIP SINGH J. (ORAL)

The learned counsel for revisionist has produced receipt No. 073 (in original) dated 3.10.2017 in Court today, showing that a sum of Rs. 34,420/-, being 15 % of cheque amount, as per the authority of the Apex Court in Damodar S. Prabhu Versus Sayed Babalal H., 2010 (5) SCC 663, has been deposited with the Legal Services Committee of this Court and same is taken on record.

It comes out that the parties have effected a compromise and respondent-bank has received entire amount. Now, 15% of the cheque amount as per the authority of the Apex Court in Damodar S. Prabhu's case (supra) has also been deposited with the Legal Services Committee of this Court. The learned counsel for complainant has no objection, if the judgments of two Courts below are set aside and revisionist be acquitted of notice of accusation, served upon him.

Consequently, in view of the compromise effected between the parties, judgment of conviction dated 4.3.2015 and order of sentence dated 5.3.2015, passed by the learned Judicial Magistrate 1st Class, Hansi,

CRR No. 2897 of 2017 (O/M)

convicting and sentencing revisionist under Section 138 of the Negotiable Instruments Act, 1881, as well as the judgment dated 9.8.2017, passed by the learned Additional Sessions Judge, Hansi, dismissing the appeal, are hereby set aside and revisionist stands acquitted of notice of accusation, served upon him. Bail bonds/surety bonds stand discharged.

In view of matter, revision is allowed.

(KULDIP SINGH)
JUDGE

30.10.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No