

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3213 of 2017 (O/M)
Date of decision : 7.11.2017

Mohinder Kumar

..... Revisionist

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.S. Sekhon, Advocate, for revisionist.

Ms. Monika Jalota, DAG Punjab.

Mr. A.S. Sidhu, Advocate, for respondent No. 2.

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)

In compliance of the order dated 27.9.2017, passed by this Court, the learned counsel for revisionist has produced the photocopy of deposit receipt No. 091, dated 25.10.2017, issued by this Court, showing that a sum of Rs. 7,080/- has been deposited with the Legal Service Committee of this Court and same is taken on record.

On the last date of hearing, compromise was filed in the Court. The learned counsel for complainant-respondent No. 2 had affirmed the compromise and stated that complainant-respondent No. 2 has received the entire cheque amount and he has no objection if revisionist is acquitted of notice of accusation, served upon him. As per authority of the Apex Court in Damodar S. Prabhu Versus Sayed Babalal H., 2010 (5) SCC 663, revisionist has also deposited 15% of the cheque amount with the Legal Service Committee of this Court.

CRR No. 3213 of 2017 (O/M)

As the offence under Section 138 of the Negotiable Instruments Act, 1881, is compoundable and the same has been lawfully compounded, therefore, the judgment dated 26.11.2013, passed by the learned Additional Sessions Judge, Ferozepur, and the judgment of conviction and order of sentence dated 20.5.2011, passed by the learned Judicial Magistrate 1st Class, Abohar, are hereby set aside and revisionist stands acquitted of notice of accusation, served upon him. Bail bond and surety bond stand discharged.

In view of the above, revision is allowed.

(KULDIP SINGH)
JUDGE

7.11.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No