

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

**CRR No.3516 of 2017 (O&M)
Date of decision : October 30, 2017**

Deepak Kanojia and another **Petitioners**

Versus

Balwinder Kumar and another **Respondents**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. J.K. Singla, Advocate for the petitioners.

Mr. Shiv Charan Bhola, Advocate for
Mr. Manoj Pundhir, Advocate for respondent No.1.

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 has produced the original receipt No.083,dated 11.10.2017, showing that in terms of the last order, ₹21,000/- being 10% of the cheque amount, as per authority of Hon'ble the Supreme Court delivered in case of “*Damodar S. Prabhu v Sayed Babalal H., 2010(5) SCC 663*”, have been deposited with the High Court Legal Services Committee.

It also comes out from the last order that the complainant had admitted that he had received the entire settled amount and has no objection if the revision is allowed and the petitioner is acquitted of the notice of accusation served upon him.

Since, the matter has been amicably settled between the parties, therefore, the judgment of conviction and order of sentence dated 06.04.2011 passed by learned Judicial Magistrate 1st Class, Bathinda, vide which the petitioner was sentenced to undergo rigorous imprisonment for

one year and to pay a fine of ₹2,500/-, in default of payment of fine to further undergo rigorous imprisonment for one month for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 as well as the judgment dated 18.04.2013 passed by learned Addl. Sessions Judge (Fast Track Court), Bathinda, dismissing the appeal of the petitioner, are hereby set aside and the petitioner is acquitted of the notice of accusation served upon him.

As such, the present revision petition is allowed.

(KULDIP SINGH)
JUDGE

October 30, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No