

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 375-2017 (O&M)
Date of decision: 26.09.2017

Vishal Madan

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Jasdeep Singh, Advocate for
Mr.J.S.Dadwal, Advocate for the petitioner
Ms.Monika Jalota, DAG Punjab

- 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?*

Kuldip Singh, J. (Oral)

Petitioner has produced receipt of Oriental Bank of Commer showing that a sum of Rs.33,750/- being 15% of the settled amount has been deposited in the account of Chairman, District Legal Service Authority, Ludhiana in compliance with order dated 25.7.2017 passed by this Court.

Heard.

On the last date of hearing, both the parties had affirmed that the petitioner has paid the entire amount to the complainant -bank and the complainant-bank has issued a certificate dated 13.2.2017 (Annexure P2) stating that on account of Special One Time Settlement, the entire amount has been paid.

As per judgment of the Apex Court in Damodar S. Prabhu vs.

Sayed Babalal H., 2010 (5) SCC 663, 15% of the settled amount has already been deposited in favour of the Chairman, District Legal Service Authority, Ludhiana. As the matter has been amicably settled, therefore, the judgment of conviction and order of sentence dated 4.11.2015 passed by learned Judicial Magistrate 1st Class, Ludhiana and the judgment dated 17.1.2017 passed by learned Additional Sessions Judge, Ludhiana, whereby the petitioner was convicted and sentenced under Section 138 of Negotiable Instruments Act, 1881 are hereby set aside and the petitioner is acquitted of the notice of accusation served upon him. The bail bonds and the surety bonds of the petitioner stands discharged.

The petition stands allowed.

26.09.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No