

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

**CRR No.3905 of 2017 (O&M)
Date of decision : December 12, 2017**

Ajay Arora

..... Petitioner

Versus

Jagan Nath and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Baljit Beniwal, Advocate for the petitioner.

Mr. R.K. Makkad, DAG, Haryana.

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)

Custody certificate filed in the Court today is taken on record.

On the last date of hearing, learned counsel for the complainant-respondent had informed the Court that the parties have effected a compromise, under which the complainant has received ₹3,00,000/-. The petitioner was directed to deposit 15% of the cheque amount of ₹1,95,000/- as litigation cost, in view of the judgment of the Apex Court in *Damodar S. Prabhu v Sayed Babalal H., 2010(5) SCC 663*.

The office has reported that the litigation cost has been deposited by the petitioner with the Legal Services Committee of this Court.

Since the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 has been lawfully compounded, therefore, the judgment dated 13.10.2017 passed by learned Sessions Judge, Faridabad and the judgment of conviction dated 28.03.2016 and order of sentence dated 31.03.2016 passed by learned Judicial Magistrate 1st Class, Faridabad,

convicting and sentencing the petitioner, are hereby set aside. The petitioner is acquitted of the notice of accusation served upon him. His bail bonds and surety bonds stand discharged.

As such, the present revision petitioner is allowed.

(KULDIP SINGH)
JUDGE

December 12, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No