

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4009 of 2017 (O/M)
Date of decision : 2.11.2017

M/s Simran Powder Coating and another Revisionists

Versus

M/s Maharani Paints Private Limited Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Paras Talwar, Advocate, for revisionists.

Mr. K.B.S. Sidhu, 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)

Respondent has appeared of his own. He has filed a copy of compromise deed dated 1.11.2017 alongwith resolution dated 1.11.2017 in Court today and same is taken on record, whereby Mr. Pawan Malhotra, Manager, of respondent-company was authorized to enter into compromise.

The learned counsel for respondent states that all the disputes have been amicably settled between the parties. Complainant-respondent has no objection, if revisionist is acquitted of accusation notice, served upon him or he is sentenced to the period already undergone by him.

The learned counsel for revisionist states that the revisionist is unable to pay 15% of the cheque amount as litigation costs, as per the authority of the Apex Court in Damodar S. Prabhu Versus Sayed Babalal H., 2010 (5) SCC 663. Therefore, the prayer is that sentence of revisionist may be reduced to the period already undergone by him.

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Considering the fact that the parties have amicably settled the dispute, the judgment of conviction dated 15.4.2015 and order of sentence dated 21.4.2015, passed by the learned Judicial Magistrate 1st Class, Faridabad, whereby revisionist was sentenced to undergo rigorous imprisonment for one year and to pay compensation of Rs. 15,89,721/- to complainant stands modified to the extent that the said sentence and compensation is replaced with the period of imprisonment already undergone by him. The judgment dated 11.10.2017, passed by the learned Additional Sessions Judge, Faridabad, also stands modified to the abovenoted extent. Revisionist be released forthwith, if not required in any other case.

With the abovenoted modification, revision is dismissed.

(KULDIP SINGH)
JUDGE

2.11.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No