

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-873 -2017 (O&M)
Date of decision: 05.09.2017

Raman Kumar

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.D.C.Dhaura, Advocate for the petitioner
Mr.Pawan Garg, Assistant Advocate General, Haryana
Mr.V.P.Singh, Advocate for respondent no.2/complainant

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)

Learned counsel for the petitioner has produced the original receipt showing that a sum of Rs.75,000/- has been deposited with the Secretary, District Legal Services Authority, Rohtak. The same is taken on record.

On the last date of hearing, learned counsel for respondent no.2 has stated that the entire cheque amount has been received and the matter has been compromised.

As per judgment of the Apex Court in Damodar S. Prabhu vs. Sayed Babalal H., 2010 (5) SCC 663 the petitioner has deposited 15% of the cheque amount with Secretary, District Legal Services Authority, Rohtak.

Since the offence under Section 138 of Negotiable Instruments Act, 1881 has been lawfully compounded, therefore, the judgment and order

dated 12.2.2016 passed by learned Judicial Magistrate First Class, Rohtak convicting and sentencing the petitioner to undergo Simple Imprisonment for five months and the judgment dated 22.2.2017, passed by learned Additional Sessions Judge, Rohtak, dismissing the appeal, are hereby set aside. The petitioner is acquitted of the notice of accusation served upon him. His bail bonds are discharged.

The present petition stands allowed accordingly.

05.09.2017*gk***(Kuldip Singh)
Judge**

Whether speaking/ reasoned: Yes

Whether Reportable: No