

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRR-3205-2016 (O&M)

Date of Decision: January 09, 2018

Sandeep Kumar Midda

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ranjit Singh Sidhu, Advocate
for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

Ms. Navneet Kaur, Advocate
for respondent No.2.

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Sudhir Mittal, J. (Oral)

This revision petition has been filed by the accused Sandeep Kumar Midda challenging judgement dated 09.08.2016 whereby his appeal against order and sentence dated 17.07.2015, passed by Chief Judicial Magistrate, Sri Muktsar Sahib, convicting him of offence under Section 138 of Negotiable Instruments Act, 1881, and sentencing him to RI for one year and fine of ₹ 3,000/- , was dismissed.

2. The petitioner has placed on record compromise dated 01.09.2016 (Annexure P-I) vide which cheque amount has been paid by the brother of the petitioner and the dispute has been settled.

3. Learned counsel for the complainant does not dispute the fact that the compromise has been reached and the entire cheque amount has been paid.

4. Today, learned counsel for the petitioner has produced Demand draft No.763325 dated 22.12.2017 in favour of High Court Legal Service Committee, for a sum of ₹ 28,500/- in terms of the judgment of the Hon'ble Supreme Court of India in **Damodar S. Prabhu vs. Sayad Babalal H., 2010 (5) SCC 633.** He is directed to deposit the said Demand draft today itself and to submit photocopy of the receipt in the Registry.

5. Since the matter stands settled and the requirements of law have been followed, the instant revision petition is allowed; impugned judgement dated 17.07.2015 of the trial Court and Judgment dated 09.08.2016, passed by the First Appellate Court, are set aside. The petitioner is hereby, acquitted and he is also discharged from the bail and surety bonds, so furnished by him before the trial Court.

6 Copy of this order be sent to the trial Court for information.

January 09, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No