

Crl. Revision No. 2488 of 2017 (O&M)
Date of Decision: September 11, 2018

Mohit Kumar Goyal

.....Petitioner

versus

Tej Ram

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Ms. Divya, Advocate for
Mr. Navjot Singh, Advocate
for the petitioner

Mr. Kunal Dawar, Advocate
for the respondent

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Sudhir Mittal, J. (Oral)

Learned counsel for the petitioner submits that the petitioner is unable to comply with his undertaking to pay Rs. 8 lacs to the respondent.

The petitioner has been convicted in a complaint under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as 'the Act') vide judgment dated 12.01.2015 and has been sentenced to undergo rigorous imprisonment for a period of one year and to pay sum of Rs. 12,10,500/- as compensation. Vide judgment dated 05.05.2017, his appeal has been rejected.

A perusal of the record shows that notice of motion was issued and the counsel for the petitioner had contended that the petitioner is ready to pay the cheque amount. Thereafter, a sum of Rs. 1,00,000/- was paid during the course of the proceedings before this Court. The matter was also referred to the Mediation and Conciliation Centre of this Court but it failed as the petitioner did not appear on the previous date of hearing i.e. 22.03.2018. The case was adjourned to today as it was submitted on behalf of the petitioner that balance amount of Rs. 8 lacs would be

petitioner to make the payment.

Thus, the petition is dismissed. The interim bail granted to the petitioner is cancelled and it is directed that the petitioner be taken into custody forthwith to complete rest of his sentence.

Copy of the order be sent to the Court of Chief Judicial Magistrate/Convicting Magistrate concerned for compliance.

September 11, 2018

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**[SUDHIR MITTAL]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No