

CRR-3758 of 2017 (O&M)

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

CRR-3758 of 2017 (O&M)
Date of Decision: 10.08.2018

Gurmukh Singh

....Petitioner

Versus

M/s Yashik Finance Company and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Inderjit Sharma, Advocate, for the petitioner.
Mr. Rakesh Gupta, Advocate, for respondent No.1.
Mr. Arjun Singh Yadav, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

CRM-6205 of 2018

For the reasons mentioned in the application, same is allowed.

Annexures P-1 and P-2, filed along with the application, are taken on record as additional evidence.

CRM-7986 of 2018

For the reasons mentioned in the application, same is allowed.

Certified copy of certificate dated 28.02.2018 issued by the Indian Overseas Bank is taken on record as Annexure P-3.

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As per office report, 15% of the cheque amount i.e. Rs.1,29,000/-, in view of the ratio of authority ***Damodar S. Prabhu v. Sayed Babalal H., 2010(2) R.C.R.(Criminal) 851***, has been deposited by the petitioner.

Learned counsel for respondent No.1 submits that he has no objection to the acquittal of the petitioner by setting aside the impugned judgment of the First Appellate Court dated 22.09.2017, affirming the

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judgment dated 04.02.2016 of the trial Court, whereby petitioner was held guilty and sentenced to undergo simple imprisonment for two years and pay cheque amount of Rs.8,60,000/- with interest @ 9% per annum from the date of filing of complaint till its realization as compensation to the complainant for commission of offence under Section 138 of the Negotiable Instruments Act.

In view of no objection of learned counsel for respondent No.1-complainant, judgment of the trial Court and that of the First Appellate Court are set aside.

Disposed of.

August 10, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No