

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

**CRR No.3838 of 2017 (O&M)**

**Date of decision: 20.04.2018**

Jatinder Sharma

....Petitioner

Versus

State of Punjab and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:-** Mr. Namit Gautam, Advocate  
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

Mr. Aayush Gupta, Advocate for respondent No.4.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this revision petition is for setting-aside the order dated 10.08.2017 passed by the trial Court vide which the penalty/fine of Rs.3,00,000/- has been imposed upon the petitioner/accused and the order dated 03.10.2017 passed by the Additional Sessions Judge, vide which the appeal preferred against the order dated 10.08.2017 has been dismissed.

The petitioner has handed over a demand draft of Rs.2.50 lacs and a photocopy of the same is taken on record.

The parties are *ad idem* that the matter stands compromised between them in terms of the award dated 19.03.2018 passed by the Mediation and Conciliation Centre of this Court.

Counsel for the petitioner has submitted that vide impugned order dated 10.08.2017, the trial Court while invoking the provisions of Section 446 Cr.P.C. has imposed a penalty/fine of Rs.3 lacs on the petitioner/accused – Jatinder Sharma.

Counsel for the petitioner has further submitted that the petitioner has already appeared before the trial Court and released on bail subject to furnishing fresh bail/surety bonds. Thereafter, the petitioner preferred an appeal before the Lower Appellate Court challenging the aforesaid order and the same was also dismissed by the Lower Appellate Court vide impugned order dated 03.10.2017.

Since, the parties have compromised the matter and the petitioner has made the entire payment to the respondent, this petition is allowed and the impugned orders dated 14.08.2017 and 03.10.2017 passed by the both the Courts below imposing fine of Rs.3 lacs on the petitioner/accused under Section 446 Cr.P.C. is set-aside and the same is reduced to a sum of Rs.5,000/- to be deposited with the trial Court within a period of 30 days from today.

Disposed of.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**20.04.2018**  
*yakub*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No