

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
274**

CRR-221-2018 (O&M)

Date of decision:24.04.2018

RAVINDER KAUR

...PETITIONER

Vs.

THE STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Anil Kumar Spehia, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab,
for the State.

Mr. Rajeev Sharma, Advocate,
for respondents No. 2 (i) to (iii).

AUGUSTINE GEORGE MASIH, J. (ORAL)

This revision petition has been preferred challenging the order of conviction and sentence dated 07.01.2015 passed by the Judicial Magistrate Ist Class, Phillaur, whereby the petitioner was convicted and sentenced for a period of one year with fine of Rs. 5000/- and in default of payment of fine, to undergo imprisonment for a period of 15 days. The fine stood already deposited prior to the filing of the appeal, which was dismissed by the learned Additional Sessions Judge, Jalandhar vide order dated 10.01.2018.

Upon notice having been issued by this Court, the case was taken up on 12.02.2018 when following order was passed:-

“ Custody certificate is taken on record.

Mr. Rajeev Sharma, Advocate, has filed power of

attorney on behalf of respondents No.2(i) to (iii). Same is taken on record.

Petitioner, in compliance with the order passed by this Court, on 22.01.2018, has deposited a bank draft drawn in the name of Registrar, Punjab and Haryana High Court, Chandigarh, amounting to ₹90,000/- dated 29.01.2018 which is to be disbursed to the legal representatives of late Shri Avtar Krishan, who are respondents in the present petition, in equal share on an application to be submitted by them to the Registrar (Judicial) of this Court.

Counsel for the complainant submits that he has no objection to the petitioner being released on interim bail provided some compensation/litigation expenses are paid to the respondents in the light of the prolonged litigation which has continued.

Counsel for the respondents, on instructions from the respondents, states that if an additional amount of ₹30,000/- is paid to them respondents, the respondents would have no objection to the present revision petition being allowed.

Counsel for the petitioner prays for and is granted two months' time to deposit the amount of ₹30,000/- with the Registrar of this Court to be disbursed to the respondents in equal share.

Keeping in view the above, the petitioner is directed to be released on interim bail to the satisfaction of Chief Judicial Magistrate, Jalandhar, during the pendency of the revision

petition.

The hearing of the revision petition is deferred to **24.04.2018.**”

In pursuance to the order dated 12.02.2018 passed by this Court, counsel for the petitioner has produced a bank draft amounting to Rs. 30,000/- drawn in the name of the Registrar (Judl.) of this Court.

Let this draft be deposited with the Registrar (Judicial) of this Court during the course of the day.

Counsel for the private respondents states that the complainant has, till date, not drawn the amount, which was earlier also deposited with the Registrar (Judl.) of this Court. He further states that liberty may be granted to the private respondents to file an application before the Registrar (Judl.) for disbursal of the amount of Rs. 1,20,000/-, which now stands deposited by the petitioner in the form of two bank drafts.

Prayer made by the counsel for the private respondents is accepted. In case, an application is moved by the private respondents, the said total amount be disbursed to them being the legal representatives of the complainant Late Sh. Avtar Krishan in equal shares.

Keeping in view the above compromise, which has been entered into between the parties, the conviction of the petitioner is upheld. However, the sentence is reduced to the one already undergone by her.

The revision petition stands partly allowed accordingly.

April 24, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No