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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRR-1217-2019 (O&M)
Date of Decision:09.09.2019

Suresh

...Petitioner

Versus

Subhash

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.
Mr.Deepak Chaudhary, Advocate for the respondent.

ANIL KSHETARPAL, J.

CRM-16665-2019

For the reasons stated in the application, delay of 69 days in filing the revision petition is condoned.

CRM stands disposed of.

Main case

The present revision petition has been filed against the judgment of conviction and order of sentence passed in the proceedings arising from a criminal complaint under Section 138 of the Negotiable Instrument Act, 1881.

On 29.05.2019, following order was passed by this Court:-

“CRM-17997-2019

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 9.9.2019 and is taken on Board today.

CRR-1217-2019 (O&M)

Learned counsel for the petitioner has submitted that the petitioner is willing to compromise the matter with the

complainant. Learned counsel has submitted that he has been convicted for offence under Section 138 of Negotiable Instruments Act, pertaining to dishonour of a cheque for an amount of ₹ 1,60,000/- and that he has today brought a demand draft for an amount of ₹ 50,000/- favouring complainant-Subhash, a copy whereof has been annexed with the application filed for preponement. It has further been submitted that the petitioner shall try to arrange for the remaining amount of ₹ 1.10 lacs, shortly.

In view of the aforesaid submission, notice of motion be issued for 9.9.2019 to probe the possibility of the compromise.

An additional set of summons for effecting service upon respondent by way of dasti process be also issued.

Meanwhile, the substantive sentence of imprisonment of the petitioner shall remain suspended during pendency of the petition, subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

To be shown in urgent list”.

Learned counsel for the complainant-respondent admits that entire amount stands paid. He submits that he has no objection if the offence is compounded, which is compoundable.

In view of the above, offence is permitted to be compounded.

The judgment of conviction and order of sentence shall cease to operate.

Disposed of.

09.09.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No