

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-725-2018(O&M)

Date of Order:05.04.2019

HARDEEP SINGH

..Petitioner

Versus

STATE OF PUNJAB AND ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Neel Kamal, Advocate, for
Ms. Ritam Aggarwal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG Punjab

Mr. Rose Gupta, Advocate,
for the complainant.

ANIL KSHETARPAL, J(Oral)

The revision petition has been preferred against the judgments passed by the courts below convicting the petitioner in a complaint under Section 138 of the Negotiable Instrument Act, 1881.

On 26.10.2018, counsel for the parties on instructions from their clients had contended as under:-

“Learned counsel for the petitioner, on instructions from her client who is present in Court, states that the petitioner is ready to pay a total amount of Rs.3.25 lakhs to the respondent-complainant on or before 31.03.2019. She seeks concession to the extent that the said amount would be paid by way of six installments. The first 5 installments would be of Rs.50,000/- whereas the last

installment would be of Rs.75,000/-. In order to show her bona fide, the petitioner has paid an amount of Rs.50,000/- to the respondent-complainant who is present in Court. This offer is acceptable to the respondent-complainant.

In view of the fact that the petitioner has offered a total amount of Rs.3.25 lakhs and out of this, an amount of Rs.50,000/- has been paid in the Court itself and the same has duly been accepted by the respondent complainant who is present in Court, the proclamation proceedings issued for 30.10.2018 pursuant to the execution proceedings shall remain stayed. Instead of depositing the installments in this Court, the petitioner would pay the remaining installments before the Executing Court on last Monday of each calendar month.

Adjourned to 05.04.2019.

It is made clear that in case the petitioner fails to pay the installment in any of the month, the order whereby his sentence is suspended would liable to be revoked.

Learned counsel appearing for the respondent No.2-complainant has submitted that the entire payment as undertaken on 26.10.2018 has been paid.

The offences under Section 138 of the Negotiable Instrument Act, 1881, are compoundable.

Accordingly, the revision petition is disposed of as having been compromised. The judgments of conviction and order of sentence, therefore, are rendered infructuous.

April 05, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No