

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

CRM-16594-2021

in/and

CRR-302-2021(O&M)

Date of decision:08.06.2021

M/s Shree Sarsai Nath Enterprises and another

.....Petitioners

Versus

Subhash Chander

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Aman Pal, Advocate for the applicant-petitioner

Mr. P.K.Ganga, Advocate for the respondent

ANIL KSHETARPAL, J.

Through CRM-16594-2021, the applicant-petitioner prays for advancement of the date of hearing of the criminal revision petition in view of a settlement arrived at between the parties. It has been contended that the applicant-petitioner has already undergone imprisonment for a period of 03 months and 20 days out of the total substantive sentence of 6 months awarded to him. The applicant-petitioner herein was convicted under Section 138 of the Negotiable Instruments Act, 1881.

Sh.P.K.Ganga, Advocate, enters appearance on behalf of the respondent and admits that a compromise has been arrived at between the parties and further states that the respondent has already received the cheque amount towards full and final settlement of his claim.

Keeping in view the aforesaid facts, CRM-16594-2021 is

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allowed and the criminal revision petition is preponed to today and with the consent of the learned counsel for the parties, the same is taken on Board.

The offence under Section 138 of the Negotiable Instruments Act, 1881, is compoundable. Since the applicant-petitioner and the respondent have already settled the matter on payment of the cheque amount and also the fact that the applicant-petitioner has already undergone imprisonment for a period of 03 months and 20 days out of the total substantive sentence of 6 months awarded to him, the applicant-petitioner is permitted to compound the offence. The sentence awarded to the petitioner is ordered to be reduced to the duration as already undergone by him.

The criminal revision petition is disposed of in the abovesaid terms .

Let the petitioner be released forthwith, if not required in any other case.

All the pending miscellaneous applications, if any, are also disposed of.

08.06.2021

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Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE