



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

255

CRR-1121-2025 (O&M)**Date of decision : 28.08.2025**

GURJANT SINGH

..... PETITIONER

VERSUS

JARNAIL SINGH & ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

Mr. A.K. Garg, Advocate
for respondent No.1.

SURYA PARTAP SINGH. J.(Oral)

1. This revision petition has been filed against the judgment dated 28.03.2025 passed by learned Additional Sessions Judge, Malerkotla in appeal, whereby the judgment of conviction and order of sentence dated 13.02.2017 passed by learned SDJM, Malerkotla in a complaint under Section 138 of Negotiable Instruments Act, has been upheld.

2. Learned counsel for the petitioner has contended that for the commission of offence under Section 138 of Negotiable Instruments Act, a sentence of 06 months was awarded to the petitioner and that in addition to above mentioned sentence, he was also directed to pay a compensation of Rs.10,00,000/-. According to learned counsel for the petitioner out of 06 months, the petitioner has already undergone sentence for a period of 05 months and that by taking a lenient view the sentence awarded to the petitioner may be reduced to the period he has already undergone.

3. Learned counsel for the respondent has submitted that compensation has not yet been paid by the petitioner. He has agreed to appear before the learned trial Court to initiate the proceedings for recovery of compensation.

4. Since learned counsel for the petitioner is not challenging the judgment of conviction, the judgment of learned Appellate Court, whereby the Court has upheld the judgment of conviction passed by the learned trial Court, is hereby affirmed and finding no merit qua above mentioned verdict of learned Appellate Court, the present revision petition is hereby disposed of.

5. As far as the quantum of sentence is concerned, in view of the fact that out of 06 months, the petitioner has already undergone sentence for a period of 05 months, excluding remission, and that he has no criminal antecedents, he deserves a lenient view. Hence taking a lenient view, with regard to prayer for reduction in the quantum of sentence, the present revision petition is hereby accepted and the order passed by learned trial Court with regard to quantum of sentence is hereby modified to the extent that the petitioner shall have to undergo imprisonment for the period he has already undergone in the present case. Since the petitioner is in custody, the trial court is directed to issue release warrants forthwith.

6. Copy of this order be communicate to the learned trial Court immediately.

(SURYA PARTAP SINGH)
JUDGE

28.08.2025

<i>vipin</i>	Whether speaking/reasoned :	Yes
	Whether Reportable :	No