

CRR-942-2026
215

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-942-2026
Date of decision: 27.05.2026

Daya Kishan ... Petitioner

Versus

The Kaithal District Primary Cooperative Agricultural and Rural Development Kaithal
... Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Baljeet Jain, Advocate
for the petitioner.

Mr. Karan Ranjha, Advocate and
Ms. Sidhi Bansal, Advocate
for the respondent.

ANOOP CHITKARA, J.

TRIAL COURT	
Name of the Complainant	The Kaithal District Primary Cooperative Agricultural and Rural Development Bank Limited Kaithal through its Branch Manager
Name of the accused/ convict	Daya Kishan
Cheque Amount	Rs. 8,80,400/-
Complaint Case No.	CIS No.NI Act 1013 of 2016 Criminal complaint No.177 of 2016 CNR No.HRKH03-007839-2016 Date of decision: 18.04.2019
Conviction under sections	138 of Negotiable Instruments Act
Sentence imposed	Simple Imprisonment for 06 months along with a compensation amount of Rs. 8,80,400/-

SESSIONS COURT	
Names of convict	Daya Kishan
Criminal Appeal No.	CIS Case No.CRA/214/2019
CNR No.	HRKH01-003231-2019
Date of decision	20.03.2026

1. Challenging the above captioned judgment passed by the trial Court, whereby the petitioner was convicted and sentenced under Section 138 of the Negotiable Instruments Act, 1881, which was affirmed by the Sessions Court as mentioned above, the convict has

CRR-942-2026
come up before this Court by filing the present criminal revision petition.

2. By order dated 16.04.2026, the execution of the sentence of imprisonment was suspended and the said order is continuing till date, and as per the petitioner’s counsel, the convict is not in custody in this case.
3. Ld. Counsel for the petitioner submits that he has brought a demand draft of Rs.50,000/- in favour of the respondent and the same is handed over to Mr. Devender Singh, authorized person of the respondent-Bank, through their counsel. Petitioner’s counsel further submits that now total amount paid by the petitioner is Rs.6,00,000/- and petitioner is not in a financial capacity to pay more amount, and he would confine his submissions for reduction of sentence to that which the convict has already undergone.
4. Ld. Counsel for the respondent opposes the reduction of the sentence and submits that if this Court reduces the sentence to the already undergone, then the amount of compensation should be increased.
5. To this, counsel for the petitioner submits that amount should not be increased.
6. As per the judgment passed by the trial Court, the cheque amount was Rs.8,80,400/-
7. As per the judgment passed by the trial Court, the sentence, fine, and compensation amount awarded in favor of the complainant and against the accused petitioner are as follows:

SENTENCE AWARDED BY THE TRIAL COURT		
Sentence of Imprisonment	Compensation Amount/ Fine Amount	Default imprisonment in case of non-payment of compensation/fine
SI for 06 months	Rs.8,80,400/-	NIL

8. In the appeal filed by the accused/convict, the conviction, sentence, and compensation were upheld.
9. As per the custody certificate dated 11.05.2026 in the present complaint, the petitioner has undergone custody of 28 days.
10. The per-day imprisonment for the fine/compensation amount comes to:

PER-DAY IMPRISONMENT FOR FINE/COMPENSATION AMOUNT				
A	B	C	D	E
FINE + COMPENSATION AMOUNT IMPOSED	AMOUNT DEPOSITED	AMOUNT OUTSTANDING	CUSTODY AS OF DATE	FINE + COMPENSATION AMOUNT PROPORTIONATE TO PER DAY CUSTODY
		[A-B=C]		[C÷D=E]
Rs.8,80,400/-	Rs. 6,00,000/-	Rs. 2,80,400/-	28 days	Rs.10,014/- approximately

CRR-942-2026

11. The above calculation indicates that the convict compromised his liberty for the non-payment of money, which comes to a meager amount of Rs. **10,014/-** every day.
12. Given the cheque amount, compensation awarded, and the sentence already undergone, the ends of justice shall be met if the sentence is reduced to the already undergone.
13. The compensation amount hereinafter deposited, along with interest accrued on the deposits, if any, less taxes, if any, shall be released in favor of the complainant by transferring to the complainant’s bank account in which the complainant is the sole holder.
14. The personal bail bonds and surety bonds are discharged.
15. The petition is partly allowed to the extent that although the conviction is maintained and upheld, the sentence of substantive imprisonment is reduced to what the petitioner has already undergone. Order dated 16.04.2026 is made absolute. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

27.05.2026
Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO