

CRR-780-2016

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
06.05.2026	20.05.2026	FULL PRONOUNCED	20.05.2026

Krishan Raj alias Bittu ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Abhishek Das, Advocate for
Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Ms. Pooja Rana, Legal aid counsel
for respondent No.2.

ANOOP CHITKARA, J.

TRIAL COURT	
Name of the Complainant	Pawan Puri
Name of the accused/ convict	Krishan Raj @ Bittu
Cheque Amount	Rs. 2,50,000/-
Complaint Case No.	5393 of 2009 Date of decision: 08.11.2013
Conviction under sections	138 of Negotiable Instruments Act
Sentence imposed	Rigorous Imprisonment for 01 year along with a compensation amount of Rs. 2,50,000/-

SESSIONS COURT	
Names of convict	Krishan Raj @ Bittu
Criminal Appeal No.	148 of 2013
CNR No.	CRA-355 of 2014
Date of decision	19.11.2015

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

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Act, 1881, which was affirmed by the Sessions Court as mentioned above, the convict has come up before this Court by filing the present criminal revision petition.

2. By order dated 13.05.2016, the execution of the sentence of imprisonment was suspended, and as per the petitioner’s Counsel, the convict is not in custody in this case.
3. Ld. Counsel for the petitioner submits that the petitioner is not in a financial capacity to pay the amount, and he would confine his submissions for reduction of sentence to that which the convict has already undergone.
4. Ld. Counsel for the complainant opposes the reduction of the sentence.
5. As per the judgment passed by the trial Court, the cheque amount was Rs. 2,50,000/-
6. 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
RI for one year	Rs. 2,50,000/-	----

7. In the appeal filed by the accused/convict, the conviction, sentence, and compensation were upheld.
8. As per the custody certificate dated 05.05.2026 in the present complaint, the petitioner has undergone custody of 05 months & 30 days.
9. The per-day imprisonment for the fine/compensation amount comes to:

PER-DAY IMPRISONMENT FOR THE 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 [C÷D=E]
Rs. 2,50,000/-	NIL	Rs. 2,50,000/-	180 days	Rs. 1389/- per day approx..

10. The above calculation indicates that the convict compromised his liberty for the non-payment of money, which comes to a meager amount of Rs. 1389/- approximately every day.
11. 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

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undergone.

12. 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.
13. The personal bail bonds and surety bonds are discharged.
14. Petition is partly allowed to the extent mentioned above. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

May 20, 2026
Anju Rani

Whether speaking/reasoned	YES
Whether reportable	NO