



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

300

**CRR-2319-2024 (O&M)
Date of decision: 07.07.2025**

Jagdish Kumar

...Petitioner

Versus

M/s Maya Traders and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Bhanu Pratap, Advocate
for the petitioner.

Mr. Akshay Jindal, Advocate
for respondent No. 1.

Mr. Neeraj Poswal, AAG, Haryana
for respondent No. 2.

MANISHA BATRA, J. (Oral)

1. The present revision petition has been filed against the judgment of conviction dated 04.08.2016 and order on quantum of sentence dated 05.08.2016, passed by the Court of learned Judicial Magistrate First Class, Karnal in Criminal Complaint No. 2070 of 2015, titled as M/s Maya Traders vs. Jagdish Kumar, filed under Section 138 of the Negotiable Instruments Act, 1881 (*for short 'N. I. Act'*), whereby the petitioner was held guilty for commission of offences punishable under the aforesaid sectioni and was sentenced to undergo rigorous imprisonment for a period of one year and to pay compensation of Rs. 27,34,200/- to respondent No. 1/complainant; as well as against the judgment dated 27.09.2024, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge, Karnal.

2. Today, learned counsel for the petitioner has made a statement so as not to press the present revision against the judgment of conviction, passed by

2025:PHHC:080110



the trial Court, as well as the judgment passed by the appellate Court. Learned counsel confines his prayer against the order of sentence only. It is further submitted that petitioner is not the previous convict nor any other case is pending against him and so looking into these circumstances, the sentence of the petitioner may be reduced to the period already undergone by him.

3. Although, learned counsel for respondent No. 1 has opposed the prayer of the petitioner but has submitted that in case the prayer of the petitioner is acceded to by this Court, the respondent/complainant be granted liberty to avail his legal remedy in accordance with law for recovery of the aforesaid compensation as awarded by the trial Court.

4. Learned State counsel has not raised any serious objection to the prayer made by the petitioner.

5. After hearing the counsel for the parties, I uphold the judgments of conviction passed by the Courts below as the same are based on appreciation of prosecution evidence, proving guilt of the petitioner, however, considering the fact that the petitioner has faced the agony of protracted trial and he has already undergone actual sentence of about 09 months and 11 days and is not involved in any other case, which shows that he has improved his character and has joined the mainstream of the society, the order on quantum of sentence dated 05.08.2016 is modified to the extent that the same is reduced to the period already undergone by him. However, the fine imposed upon the petitioner is upheld. Petitions stands disposed of.

6. The petitioner is directed to be released from custody forthwith, if not required in any other case. So far as the compensation awarded by the trial

2025:PHHC:080110



Court is concerned, respondent No. 1/complainant shall be at liberty to take legal recourse for recovery of the same from the petitioner.

7. Let a copy of this order be sent forthwith to Jail Superintendent as well as the Court concerned for compliance.

8. Since the main petition stands disposed of, pending application, if any, shall also be treated as disposed of.

07.07.2025

Waseem Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No