



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

201

CRM-23982 & 23983-2023 in/and
CRR-2140-2010
Date of Decision : 21.04.2026

MUNEET KUMAR

.... PETITIONER

V/S

PUNJAB AGRO INDUSTRIES CORPORATION LIMITED AND ANR.

.... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI

Present : Mr.L.S.Sidhu, Advocate
for the petitioner.

Mr. Mayank Mathur, Advocate
for respondent No.1.

Mr. Kuljeet Singh, Addl.A.G., Punjab.

RAMESH CHANDER DIMRI, J. (Oral)

CRM-23982-2023

Application is allowed.

CRM-23983-2023

Reply to the CRM in question has not been filed.

Heard on it.

A revision petition cannot be dismissed for non-prosecution.

Learned counsel for the respondent No.1 concedes to the
legal proposition.

In view thereof, order dated 25.02.2020 passed by this Court
thereby dismissing the petition in question for non-prosecution is recalled.

In turn, the said revision petition is restored to its original number. With



the consent of the learned counsel for the parties, the said petition is taken up for hearing today itself.

CRR-2140-2010

Heard on the revision petition.

As per the case set up by the respondent No.1, the petitioner-Muneet Kumar issued a cheque of Rs.9 lakhs to the said respondent. However, on presentation, it was dishonoured. After complying with the statutory provisions, a complaint in respect thereof was filed. On summoning, the petitioner appeared. The said complaint was decided by concerned Chief Judicial Magistrate on 24.03.2008. The petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881. He was accordingly sentenced to undergo rigorous imprisonment for 02 years and to pay a fine of Rs.5,000/-. In default of payment of fine, he was further directed to undergo RI for 03 months. A compensation of Rs.9 lakhs was also imposed upon him. Aggrieved of the said conviction and sentence, the petitioner filed an appeal before the concerned Sessions Court. However, the said appeal was dismissed on 19.07.2010. Against the said dismissal, the petitioner filed the petition in question. During pendency of present petition, the petitioner paid the cheque amount of Rs.9 lakhs to the respondent No.1. The said amount formed part of a total amount of Rs.17,35,000/- paid by the petitioner to the complainant in lieu of the cheque in question as well as another cheque which was subject matter of a separate complaint filed by the respondent No.1. The petitioner was to pay Rs.50,000/- more for discharging his liability in respect of both the said cheques. However, nothing was brought to the notice of the Court that he has paid the said



amount despite showing his readiness to pay the same as is evident from the order dated 15.11.2010. For such non-payment and for absence, the petition in question was dismissed for non-prosecution on 25.02.2020. The said dismissal order has been recalled today.

I have heard learned counsel for the parties.

During the course of arguments, learned counsel for the petitioner states that he does not challenge the impugned judgments of conviction but leniency may be shown to his client in the matter of imposition of sentence and payment of compensation. He also states that his client had paid Rs.50,000/- to the respondent No.1 before dismissal of the petition in question for non-prosecution but a receipt thereof was not in his possession and therefore the said payment could not be brought to the notice of this Court because of which the said dismissal for non-prosecution order was passed. He also states that the petitioner is ready to pay another sum of Rs.7,31,000/- to the respondent No.1 in lieu of compensation in respect of both the cheques/complaints.

Learned counsel for respondent No.1 admits that the petitioner had paid amount of the cheque in question and also amount of the cheque involved in another complaint with Rs.85,000/- towards interest component. He also admits that if the interest @ 6% per annum on the cheque amounts of both the complaints is calculated from the dates of cheques till payment of the amount, the said amount approximately comes to Rs.8,16,000/-, out of which, the petitioner has already paid Rs.85,000/-.

In view of the said factual position, impugned judgments of conviction are confirmed. However, for what has been stated by the



learned counsel for the petitioner, the sentence imposed on the petitioner is ordered to be reduced to the period already undergone in the matter in question. Taking a lenient view in the matter and considering the bonafides shown by the petitioner, compensation imposed on the petitioner is reduced to Rs.4,32,000/- out of which an amount of Rs.45,000/- has already been paid by the petitioner. The petitioner is directed to pay the remaining amount of the said fine i.e Rs.3,87,000/- (Rupees Three Lakhs Eighty Seven Thousand Only) to the respondent No.1 within 08 weeks from today against proper receipt. Fine imposed is stated to have already been paid. It is also ordered that if the petitioner does not honour the statement/undertaking/commitment made before this Court today, the present petition shall be deemed to have been dismissed and the impugned judgments and order of sentence shall get revived without further reference to this Court.

All interim application(s), if any, are also disposed of.

(RAMESH CHANDER DIMRI)
JUDGE

21.04.2026
anju

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No