

(2012) 12 SHI CK 0072

In the High Court Of Himachal Pradesh

Case No : Criminal Revision No. 69 of 2012-E

Sh. Ramesh Chand

APPELLANT

Vs

The Shimla Jankalyan Cooperative Society, O/O Shankhyan
Complex Below BCS School, New Shimla, Tehsil and District
Shimla, H.P. and State of H.P.

RESPONDENT

Date of Decision : 01-12-2012

Acts Referred:

Citation : (2012) 12 SHI CK 0072

Hon'ble Judges : V.K. Ahuja, J

Bench : Single Bench

Advocate : M.S. Thakur, for the Appellant; Vikrant Sankhyan, Advocate and Mr. J.S. Guleria, Assistant Advocate General, for the Respondent

Judgement

V.K. Ahuja, J.—Statement of an authorized Officer of the office of respondent No. 1 has been recorded separately, in which he has submitted that compensation of Rs. 15,000/- (Rupees Fifteen Thousand), as awarded by the Court, has been deposited with them and the conviction imposed upon the petitioner may be set aside. The sentence shall stand set aside, subject to petitioner's depositing 15 % of the cheque amount. The petitioner is liable to deposit 15% of the cheque amount with the State Legal Services Authority, as per the decision of the Hon'ble Supreme Court in Damodar S. Prabhu Vs. Sayed Babalal H., (2010) 5 Supreme Court Cases 663. The Demand Draft No. 203542 dated 30.11.2012, amounting to Rs. 1,600/-, has been deposited by the petitioner in the Registry, which amount shall be remitted to the State Legal Services Authority, for depositing under the relevant head. The sentence imposed upon the petitioner by the trial Court in Case No. 2941-3 of 2010/09, vide judgment dated 20.9.2011 and further affirmed by the learned Additional Sessions Judge, Shimla, in Cr. Appeal No. 17-S/10 of 2011, vide judgment 23.1.2012, shall stand set aside. In view of the above, the petition stands disposed of accordingly. A copy of the order be sent to both the Courts below for information and necessary compliance.

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