



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>CRLR/517/2026</u> Mohd Ahmad --Revisionist Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Harshpal Sekhon, Advocate for the revisionist. Mr. S.C. Dumka and Mr. Prabhat Kandpal, A.G.A. for the State of Uttarakhand. 2. Present criminal revision has been preferred assailing the judgment and order dated 25.05.2026 passed by the learned IIIrd Additional Sessions Judge, Rudrapur, District Udham Singh Nagar in Criminal Appeal No.246 of 2024, whereby the appeal preferred by the revisionist came to be dismissed and the judgment and order dated 20.11.2024 passed by the learned Additional Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar in Criminal Case No.10380 of 2018 was affirmed. By the said judgment, the learned trial Court convicted the revisionist for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced him to undergo simple imprisonment for a period of six months. The revisionist was further directed to pay a fine of ₹15,10,000/-, out of which ₹15,00,000/- was directed to be paid to respondent no.2 by way of compensation, while the remaining amount of ₹10,000/- was directed to be deposited in the State Treasury. 3. I have considered the submissions advanced by learned counsel for the



		respondent and carefully perused the record of the case, including the judgments passed by the learned trial Court as well as the learned appellate Court. 4. From the material available on record, it is evident that the respondent no.2-complainant succeeded in establishing all the essential ingredients constituting an offence under Section 138 of the Negotiable Instruments Act. The issuance of the cheques by the revisionist, their presentation within the period of validity, their dishonour on account of “insufficient funds”, issuance of statutory demand notices within the prescribed period, and failure of the revisionist to make payment within the stipulated time stand duly proved. The learned trial Court, upon proper appreciation of the oral and documentary evidence, recorded a finding of guilt against the revisionist. The said findings were independently re-appreciated by the learned appellate Court, which concurred with the conclusions arrived at by the trial Court. 5. It is well settled that the revisional jurisdiction of this Court is limited in scope. Unless the findings recorded by the Courts below suffer from patent illegality, perversity, material irregularity, or miscarriage of justice, this Court would not be justified in interfering with concurrent findings of fact. In the present case, both the Courts below have meticulously appreciated the evidence available on record and have assigned cogent and convincing reasons for recording the conviction of the revisionist. This Court does not find any perversity, illegality or material irregularity in the appreciation of evidence or in the conclusions drawn by the Courts below. 6. The impugned judgment and order dated 20.11.2024 passed by learned Additional Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar, as affirmed by appellate judgment and order
--	--	---

