

113

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41486 of 2015 (O&M)

Date of decision: December 08, 2015

Daljit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vipul Sharma, Advocate for
Mr. Paramdeep Singh, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition under Section 482 of Code of Criminal Procedure, 1973 ('Cr. P.C.' for short) seeking quashing of complaint No.94T of 13.12.2013/21.05.2014, under Section 138 of the Negotiable Instruments Act, 1881 ('Act' for short) and order dated 09.03.2015.

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

Petitioner had faced trial in a complaint filed by respondent No.2 under Section 138 of the Act. Trial Court vide judgment/order dated 09.03.2015 ordered the conviction and sentence of the petitioner qua commission of offence punishable under Section 138 of the Act. Aggrieved

against the said judgment/order of his conviction and sentence, petitioner has preferred an appeal and the said appeal is stated to be pending before the Appellate Court.

Since the petitioner has already availed his appropriate legal remedy by filing an appeal against the judgment/order dated 09.03.2015 of his conviction and sentence passed by the trial Court, this petition under Section 482 Cr. P.C. seeking quashing of the complaint as well as the judgment/order dated 09.03.2015, whereby, petitioner was ordered to be convicted and sentenced for the offence punishable under Section 138 of the Act, is not maintainable.

Hence, no ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

December 08, 2015
mahavir