

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

CRM-A No. 431 MA of 2016

Date of decision : September 01, 2016

M/S GB Enterprises

..... Petitioner

v.

Rajesh Narang and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Varun Sharma, Advocate
for the applicant.

Ajay Tewari, J (Oral)

This is an application for leave to appeal in a case where the complaint of the applicant under Section 138 of the Negotiable Instrument Act has been dismissed.

The applicant had claimed that two cheques dated 25.2.2010 amounting to ₹ 34,600/- and dated 20.02.2010 amounting to ₹ 38,500/- issued by the respondents for repayment of debts were dishonoured.

Consequently, the instant complaint was filed.

The trial Court held two things against the applicant. Firstly, it held that the claim of the respondents was that these were security cheques which were misused and the cheques had been dishonoured on account of instructions of stop payment but on the date there were adequate funds in the account. Secondly, there were material irregularities in the bill in so much as copy of the bill was in carbon shape but the amount was written in ball pen. In these circumstances, I see no good ground to take a different view than that taken by the trial Court. Consequently, this application is dismissed.

September 01, 2016
`kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No