

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-A-1921-MA-2014 (O&M)

Date of decision: 14.01.2016

Hardev Singh

.....Applicant

versus

Sukhwinder Singh

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.J.S.Jaidka, Advocate for the applicant

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Arguments on the application for condonation of delay in filing application for grant of leave to file appeal as well as on merits heard.

The complaint filed by the present applicant under Section 138 of the Negotiable Instruments Act, 1881 was dismissed by the learned Judicial Magistrate 1st Class, Ludhiana vide judgment dated 21.7.2014 on the ground that the cheque was a security cheque.

After going through the judgment, it comes out that the complainant himself had admitted in the cross-examination that the cheque was obtained as a security. Therefore, there is no illegality in the findings given by the lower Court

. The condonation of delay of 106 days in filing application for grant

of leave to file appeal is sought on the ground that the applicant was under the impression that the limitation to file the application for grant of leave to file appeal is 90 days. However, nothing has been said about the 16 days beyond 90 days for which the application for grant of leave to file appeal was not filed. Therefore, the application for condonation of delay is dismissed. The application for grant of leave to file appeal also stands dismissed on merits.

14.01.2016*gk***(Kuldip Singh)
Judge**