

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

**CRM-A- 211-MA-2015(O&M)
Date of decision: 21.04.2016**

Sanjay Kumar

.....Applicant

versus

Ombir Yadav

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.Indu Bala, Advocate for
Mr.Aditya Jain, 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)

Heard on application for leave to appeal.

The complaint filed by the present applicant under Section 138 Negotiable Instruments Act, 1881 was dismissed. The complainant had claimed that he had advanced a loan of Rs.5 lacs to the accused in September 2010, for which, a cheque was issued on 15.12.2010.

The perusal of lower Court judgment shows that the lower Court has taken the view that the cheque was never issued for discharge of legally enforceable debt or loan. Lower Court has discussed the evidence. Lower Court has also taken one of the two possible views. The judgment cannot be called illegal or perverse. Hence, leave to appeal is declined.

Application is accordingly dismissed.

21.04.2016

**(Kuldip Singh)
Judge**