

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-2616 of 2016 (O/M)
Date of decision : 25.1.2016

Atul Sood

..... Petitioner

Versus

Cholamandalam Investment and Finance Co. Ltd. Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.S. Gill, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. for issuance of direction to the learned Additional Sessions Judge, Jalandhar, to decide the application for additional evidence, filed in CRA No. 67 of 2015, titled as Atul Sood Versus Cholamandalam Investment and Finance Company Limited, before deciding the main criminal appeal.

The grouse of the petitioner is that he was convicted by the learned Judicial Magistrate 1st Class, Jalandhar, for commission of an offence punishable under Section 25 of the Payment and Settlement Systems Act, 2007, and was sentenced to undergo rigorous imprisonment for two years and to pay a fine of Rs. 10,000/-, in default thereof, to further undergo rigorous imprisonment

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for one year, vide judgment of conviction and order of sentence dated 27.1.2015 (Annexure-P-2). The petitioner claims that before the first appellate Court, he has filed an application for additional evidence (Annexure-P-4). However, the learned Additional Sessions Judge, Jalandhar, has ordered the hearing of the application and main appeal on one date. It is stated that if the application of the petitioner for additional evidence is not decided before the decision of main appeal, his valuable right of challenging the said order will be defeated.

In these circumstances, without issuing notice to the opposite party, the present petition is disposed of with a direction to the learned Additional Sessions Judge, Jalandhar, to decide the application of the petitioner for additional evidence before pronouncing the judgment in the main appeal.

Disposed of.

(KULDIP SINGH)
JUDGE

25.1.2016
sjks