

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

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**C.R.R No.2532 of 2016 (O&M)
Date of Decision : 03.08.2016**

Jai Kishan

..... Petitioner

versus

Surender Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sandeep K. Sharma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed against the current conviction of the petitioner under Section 138 of the Negotiable Instruments Act.

Learned counsel has argued that the complainant has not been able to prove either the source of 'the huge amount of friendly loan of Rs.6.5 lacs' nor in what circumstances did he lend such an amount to the petitioner. As per the learned counsel, this onus was never

discharged by the complainant.

Both the Courts below have convicted the petitioner since in his defense he has accepted that he had taken the loan amount. In the circumstances, the argument of the learned counsel, though attractive in theory, can not stand in view of the specific admission. It is not disputed that the petitioner never filed any reply to the legal notice disputing the grant of loan or the source of money with the complainant.

I see no reason to interfere with the judgments and orders of the Courts below. Revision petition stands dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

August 03, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No