

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

CRR-5036-2015

Date of decision :14.09.2017

Ajit Singh

..... Petitioner

Versus

Loveleen Kaur

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. G.S. Virk, Advocate for
Mr. G.S. Nagra, Advocate
for the petitioner.

H.S. MADAAN, J. (Oral)

A complaint under Section 138 of the Negotiable Instruments Act, 1881 filed by complainant - Ajit Singh against accused - Loveleen Kaur was dismissed by trial Magistrate vide judgment dated 01.02.2011 for the reason that service of notice dated 05.04.2006 Ex.P4 was not proved to have been effected upon the accused, since notice in question has been returned to the complainant with the report not claimed.

The second ground for dismissal of the complaint was that the accused had offered the cheque amount to the complainant which was not accepted by the complainant.

The defence put forward by the accused was found to be

probable. The complainant challenged that judgment by way of filing appeal but was unsuccessful there, since the appeal was dismissed vide detailed judgment dated 22.09.2015, thereafter the complainant has filed the instant revision petition.

Learned counsel for the petitioner has stated that a civil suit filed by the petitioner - plaintiff against the accused - defendant has been decreed and the outstanding dues have been deposited in the Court by the accused - defendant.

I have heard learned counsel for the petitioner, besides going through the record and I find that there is no ground to interfere with the judgment passed by the Courts below which I find that those do not suffer from any illegality or legal infirmity, hence those are upheld, whereas this revision petition is found to be without merit and stands dismissed accordingly.

14.09.2017*Gaurav Sorot*

**(H.S. MADAAN)
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**