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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4817 of 2016 (O/M)
Date of decision : 1.11.2017

Harjit Singh

..... Revisionist

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- None for revisionist.

Ms. Monika Jalota, DAG Punjab.

Mr. D.S. Gandhi, Advocate, for respondent No. 2.

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)

Today, again none has appeared for revisionist. From the last several dates, the learned counsel for revisionist has been seeking adjournment on the ground that revisionist wants to pay the cheque amount to complainant-respondent No. 2. Therefore, further adjournment for this purpose is declined.

Present revision is against the judgments of two Courts below, vide which revisionist was held guilty for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and was sentenced to undergo rigorous imprisonment for one year, vide judgment of conviction and order of sentence dated 20.1.2015, passed by the learned Judicial Magistrate 1st Class, Amritsar. The appeal filed against the said judgment of conviction and order of sentence was dismissed by the learned Additional Sessions Judge, Amritsar, vide judgment dated 22.11.2016.

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I have carefully gone through the file and heard the submissions of learned State counsel and the learned counsel for complainant-respondent No. 2.

The perusal of judgments of both the Courts below shows that a friendly loan of Rs. 2,50,000/- was taken by revisionist for domestic purpose, for which the disputed cheque was issued. The said cheque was dishonoured for the want of sufficient funds. Before the trial Court, the complainant examined himself and produced the documents to prove that the cheque was issued and same was dishonoured for the legally enforceable debt. There is no illegality or infirmity in the findings recorded by both the Courts below. Consequently, revision is dismissed.

(KULDIP SINGH)
JUDGE

1.11.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No