

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

**CRR-1873 -2017 (O&M)
Date of decision: 18.08.2017**

Gayiander Singh @ Gyanander Singh

.....Petitioner

versus

Sanjay Kumar

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Sandeep, Advocate for
Mr.Vikram Singh, Advocate for the petitioner

- 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)

Learned counsel for the petitioner has informed this Court that the petitioner has not surrendered before the trial Court.

Heard.

The present revision petition is directed against the concurrent findings of the two Courts below, vide which the petitioner was convicted for commission of an offence punishable under Section 138 Negotiable Instruments Act, 1881 and sentenced to undergo Rigorous Imprisonment for one year and to pay cheque amount of Rs.3,70,000/- as compensation within three months and in default of payment of compensation to further undergo Rigorous Imprisonment for three months.

Perusal of the judgments both the Courts below shows that the petitioner had borrowed Rs.3,70,000/- as friendly loan and in discharge of the said legal liability, issued a cheque of the same amount in favour of the

complainant, which was dishonoured with the remarks “funds insufficient”. Both the Courts below have found that the legal debt is proved. After going through both the judgments, I am of the view that both the Courts below have given sound reasoning. There is no illegality or infirmity in the same. Therefore, there is no ground to interfere in the judgments of both the Courts below.

Resultantly, the present petition stands dismissed. Let the petitioner be arrested and committed to custody to undergo the remaining part of the sentence.

18.08.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No