

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

**CRR No.3197 of 2017 (O&M)
Date of decision : September 11, 2017**

Kuldeep Singh

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Birkam Chaudhary, 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 ?

KULDIP SINGH J. (ORAL)

This is the revision against the judgment dated 13.07.2017 passed by learned Sessions Judge, Faridabad, affirming that of Judicial Magistrate 1st Class, Faridabad dated 06/11.01.2016, whereby the present petitioner was convicted for the commission of offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo simple imprisonment for six months and to pay compensation of ₹75,000/- to the complainant within one months of the passing of the order of conviction.

Heard.

Learned counsel for the petitioner contends that the cheque in question was issued as security for the committee. It is further contended that the petitioner could not prove that the loan was taken for the treatment of his father, who was stated to be suffering from cancer.

I am of the view that whatever may be the reason, the complainant is not required to prove the reasons given by accused while

taking the loan, are correct. Further, story of the committee could not be

substantiated before the trial court. Therefore, the cheque was issued by the petitioner and it is for the petitioner-accused to prove why he had issued the cheque. There are concurrent findings of two courts below. There is no illegality or infirmity in the findings recorded by both the courts below.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

September 11, 2017
sarita

Whether speaking / reasoned	Yes
Whether Reportable:	No