

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-A-500-MA of 2016

Date of Decision: 30.05.2018

Ravinder Kumar

...Appellant

VERSUS

Sanjay Jangid

...Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sunil Dhanda, Advocate
for Mr. Rajesh Lamba, Advocate
for the appellant.

SURINDER GUPTA, J.(Oral)

Heard.

This is appeal against acquittal of respondent-Sanjay Jangid in complaint filed by the appellant for offence punishable under Section 138 of Negotiable Instrument Act.

The case of appellant/complainant, in brief, is that he had advanced a loan of ₹23 lakhs to respondent, who gave cheque bearing no. 647063 dated 03.03.2014, for ₹23 lakhs, drawn on Indian Overseas Bank, Ballabgarh, which on presentation was dishonoured by the bank with remarks “funds insufficient”.

As per evidence on record, the cheque in question pertains to account of M/s Kusum Gas Agency and had been signed by Kusum, who was having her account with Indian Overseas Bank. The cheque was not issued by the respondent. The appellant has not come up with any evidence about admission of liability by Kusum or issuance of cheque by her for discharging the liability of respondent.

Learned counsel for the appellant could not cite any provision

of law or citation under which complaint against respondent was maintainable.

Keeping in view above facts, I find no merit in this application seeking leave to appeal and the same is dismissed. Consequently, the appeal is also dismissed.

May 30, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***