

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

CRR-3317-2013

Date of decision:-8.5.2018

Vikram Singh

...Petitioner

Versus

Balwinder Singh

...Respondent

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

Present: Mr.Sandeep Kotla, Advocate
for the petitioner.

Mr.R.S. Bajaj, Advocate
for the respondent.

H.S. MADAAN, J.

Complainant Balwinder Singh had filed a complaint under Section 138 of the Negotiable Instruments Act, wherein accused was summoned; Notice of accusation was served upon, to which he pleaded not guilty. The complainant led evidence. Statement of accused under Section 313 Cr.P.C. was recorded. The accused did not lead any evidence in defence. However, the trial Magistrate vide judgment dated 28.8.2010 dismissed that complaint.

Feeling aggrieved, the complainant had preferred an appeal to the Court of Sessions, which was accepted by learned Additional Sessions

Judge (Fast Track Court), Hisar vide judgment dated 27.4.2012 and the impugned judgment was set aside and case was remanded to the learned trial Magistrate for disposal in accordance with law after holding a *de novo* trial.

Being dissatisfied by the said judgment passed by learned Additional Sessions Judge (Fast Track Court), Hisar, the petitioner/accused has filed the present revision petition, notice of which was issued to the respondent/complainant, who put in appearance through counsel.

I have heard learned counsel for the revisionist – accused and learned counsel for the complainant besides going through the record and I do not find any illegality or infirmity with the impugned order, which might have called for interference by this Court while exercising revisional jurisdiction.

The law is well settled that the revisional jurisdiction of this Court is quite limited. This Court is to interfere only if there is an illegality or infirmity apparent on the face of the judgment/order passed by a Court below or the same is perverse and not otherwise.

As regards the authorities, **Bayer Crop Science (I) Ltd. Versus M/s Mittal Chemicals & Anr., 2014(2)R.C.R.(Criminal) 585** and **J.V. Baharuni and another Versus State of Gujarat and another, 2015(129) SCL 322**, those do not find application to the present case due to different facts and circumstances and the context in which such observations have been made.

Finding no merit in the petition, the same stands dismissed.

Necessary information be sent to the quarter concerned.

8.5.2018

Brij

(H.S.MADAAN)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No