

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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RSA-3573-2016 (O&M)
Date of Decision : 10.9.2018

Bhupinder Singh and another

....Appellants

vs.

Sudagar Singh

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.A.K.Goel, Advocate
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the judgments of the Courts below decreeing the recovery suit filed by the respondent.

The case of the respondent was that the appellants had issued him a cheque which had bounced and that is why he has filed the instant suit for recovery.

The case of the appellants, however, was that at one stage, he had obtained the loan from State Bank of Patiala, Sangrur and at that time, the then Manager of the Bank had obtained the signatures of the appellants on certain documents including the cheque in question and later on, that blank cheque was misused.

The Courts below noticed that the appellants had been convicted under Section 138 of the Negotiable Instruments Act, 1881 read with Section 420 IPC for dishonoring of the same very cheque and there also these pleas have been considered. The Courts below further noticed that the

cheque in question was from a cheque book which was given to the appellants much after he had obtained the loan. At that time, there was no occasion for the appellants to have given the blank cheque to the Manager.

Counsel is not in a position to show me how these findings are wrong.

The appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

10.9.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No