

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.1468 of 2018

ORDER :

Heard both sides and perused the impugned order and the grounds of revision.

2. As the approach required is pragmatic and the amended provision under Section 142 Clause (2) of the Negotiable Instruments Act, 1881, provides for condonation of delay even complaint after approval of cause of action not filed within one month and once such is the case, for no illegality or impropriety to interfere with the order of the lower Court condoning the delay, the revision can be disposed of. So far as the other grounds raised concerned on the disputed question of fact, it is left open to raise before the trial Court by filing any application under Section 251 of the Code of Criminal Procedure, 1860, for the Court to decide at appropriate stage, as laid down in **Bhushan Kumar and another v. State (NCT of Delhi) and another**¹.

3. Accordingly, the Criminal Revision Case is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

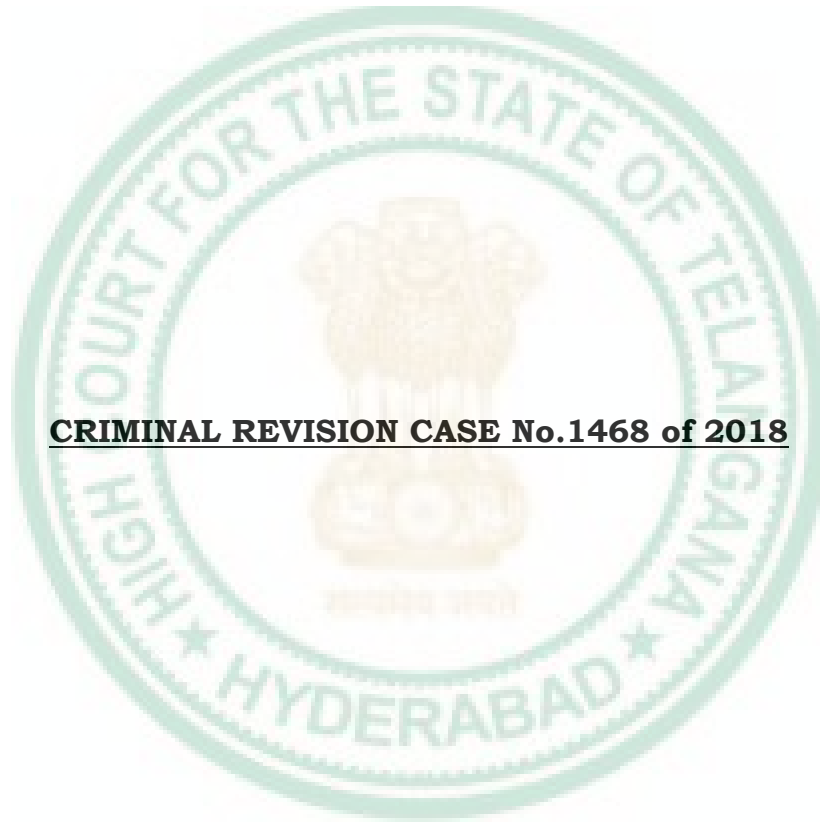
Date: 2nd April, 2019

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¹ (2012) 5 SCC 424

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