

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

CRA-S-2717-SB-2010(O&M)

Date of decision: 06.11.2019

Suresh Chander

.....Appellant

Versus

Ram Bharose

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vishal Khatri, Advocate for the appellant

ANIL KSHETARPAL, J. (ORAL)

Leave to appeal has been sought against judgment of acquittal passed by learned Court of Sessions. The Court of Sessions has recorded the following reasons:-

- i) original pronote which is the basis of the case of the complainant has not been produced.
- ii) complainant is a Government employee and he has failed to substantiate that he was in possession of the cheque amount on the date he alleges that the same was lent to the accused.
- iii) during cross examination appellant has tried to explain availability of the funds by stating that some agreement to sell was cancelled. However, evidence in support thereof has not been produced.
- iv) cheque in question Ex. C-2 is from a dead account.

Learned Court of Sessions has taken a reasonable and

probable view and the counsel for the appellant could not draw attention of the Court to any perversity or substantial error in the judgment of acquittal. Hence, no ground to grant leave to appeal is made out.

Dismissed.

06.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No