

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-A-1935-MA-2018 (O&M)

Date of Order:04.04.2019

Satbir

..Appellant

Versus

Ramesh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yogeshwar Dayal Kaushik, Advocate
and Mr. Jony Bansal, Advocate,
for the appellant.

ANIL KSHETARPAL, J(Oral)

Leave to appeal has been sought under Section 378(4) of the
Code of Criminal Procedure against the judgment of acquittal.

Learned trial Court has given the following reasons to pass the
judgment:-

- (i) The complainant has failed to produce any receipt or any
witness to prove the loan transactions;
- (ii) The alleged transaction has not been recorded in the
books of accounts or income tax returns;
- (iii) The complainant-appellant could not disclose the date
and time when the loan was sought and paid;
- (iv) The complainant has further failed to prove that whether
the alleged loan amount was paid in cash or through
cheque.

Although, learned counsel appearing for the appellant has made

sincere attempt, however, could not draw attention of the court to any perversity or substantive misreading of evidence.

Leave to appeal declined.

April 04, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No