

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-A-2023-MA-2016 (O&M)
Date of decision: 03.04.2019

Saurabh Bansal

..... Appellant

Versus

Banarsi Dass

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Jitender Kaushik, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

This appeal has been sought against the judgment of acquittal passed by learned Judicial Magistrate Ist Class dated 08.09.2016. On reading -of the judgment, it is apparent that the petitioner failed to convince the Court with respect to the genuineness of the cheque (negotiable instrument) on the basis whereof complaint was filed. The Court has noticed that the huge amount was alleged to have been advanced as a loan to the respondent without entering into any written contract. Still further, as per the petitioner, the amount was advanced to the respondent for alleged personal need which has also not been explained. Sh. Sagar Sharma who was member of the chit fund Committee has stated that the cheque was given as a security. The petitioner has also failed to prove his financial capacity to advance the amount in question.

In view the cogent reasons recorded which are not proved to be

erroneous, there is no ground to grant relief.

Accordingly, the appeal is dismissed.

03.04.2019
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No