

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-A-318-MA-2018(O&M)  
Date of decision: 18.10.2019

M/s Nagar Earth Movers

.....Appellant

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr.Bikram Chaudhary, Advocate for the appellant

**ANIL KSHETARPAL, J. (ORAL)**

Leave to appeal has been sought against the judgment of acquittal. It has been found that testimony of the complainant regarding the amount of work completed by him and the record maintained by the complainant are not reconciling, rather contradictory. The invoice book maintained by the appellant has not been produced and legally proved. The register annexed alongwith the receipt Ex. C-10 contains entries in the hands of different persons but they have not been examined. The registers or bill Ex. C-10 do not bear the signatures of accused or his employees. Income from the business has also not been reflected in the income tax returns. Thus the Court has found that it is not established that the accused has done job worth Rs. 48,96,000/- and hence the appellant has failed to prove that the cheque was issued for existing debt or liability.

The jurisdiction of the Court while entertaining the appeal

against acquittal is limited. Learned Court of Sessions has taken a reasonable and probable view. Hence, no ground to grant leave to appeal is made out.

Dismissed.

|                           |                   |
|---------------------------|-------------------|
| 18.10. 2019               | (ANIL KSHETARPAL) |
| rekha                     | JUDGE             |
| Whether speaking/reasoned | Yes / No          |
| Whether Reportable        | Yes / No          |