

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

Sr. No.220

CRM-A-731-MA-2018 (O&M)
Date of decision : 2.12.2019

Ramesh Chander

..... Applicant

VERSUS

Shri Baldev Raj

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Subhash Godara, Advocate, for the applicant.

SUDHIR MITTAL, J. (Oral)

This appeal is directed against judgment dated 12.3.2018, whereby complaint under Section 138 of the Negotiable Instrument Act, 1881 (hereinafter referred to as 'the Act') has been dismissed.

Learned counsel for the applicant submits that the trial Court was in error in dismissing the complaint in light of evidence on record. The accused had admitted receipt of money from the complainant and thus, the findings are totally illegal.

A perusal of the impugned judgment shows that the accused had admitted borrowing small sums of money from the complainant at different time. He never admitted receipt of Rs. 4 lacs. For the small sums borrowed by him, he had pawned gold jewellery and thus, there was no question of issuance of cheque of Rs.4 lacs.

In view of the above, I do not find any error in the impugned judgment and the application is dismissed.

(SUDHIR MITTAL)
JUDGE

2.12.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No