

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

**CRM-A No. 1745-MA of 2015 (O&M)
Date of decision: - 02.12.2019**

SURENDER SINGH

...Petitioner

Versus

RAM NIWAS YADAV

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Pushpinder, Advocate for
Mr. R.D. Yadav, Advocate for the applicant.

HARNARESH SINGH GILL, J. (ORAL)

The applicant-complainant file an complaint under Section 138 of Negotiable Instruments Act, 1881, and Section 420 of IPC against respondent-Ram Niwas Yadav that he has taken loan of Rs. 3 lacs at the interest of 2% per month on 10.12.2008 and loan of Rs. 4 lacs at the interest of 3.5% per month on 23.12.2008. The learned trial Court after taking into consideration, vide judgment dated 21.09.2015, concluded that there are suspicious circumstances which discredit the version of the applicant-complainant is that the name of payee and amount is not filled by accused person. Moreover, there is no evidence that applicant-complainant entered his name and the amount on the direction of the accused. Both the writings i.e. signatures, name of the payee and amount has been entered by using different pens.

In view of the above, the complaint was dismissed and respondent-accused-Ram Niwas Yadav was acquitted from the charges framed against him, I find not ground to interfere in the present application filed under Section 378(4) read with Section 482 of Cr.P.C. for granting permission to file the present appeal.

Hence the present application is dismissed.

(HARNARESH SINGH GILL)
JUDGE

02.12.2019

Mangal Singh

Whether reasoned/speaking?	Yes
Whether reportable?	No