

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-A-2652-MA-2017(O&M)

Date of decision: 11.12.2019

Roshan Lal Goel

.....Appellant

Versus

Sh. Rajinder Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Rajiv Sharma, Advocate for the appellant

ANIL KSHETARPAL, J. (ORAL)

Leave to appeal has been sought against judgment of acquittal passed by learned Judicial Magistrate First Class while dismissing the complaint under Section 138 of the Negotiable Instruments Act, 1881, filed on dishonour of the cheque No. 859109 dated 26.5.2009 for an amount of Rs.12,00,000/-.

Learned Judicial Magistrate on appreciation of evidence has found that complainant had invested a sum of Rs.8 lacs and in a civil suit filed by the complainant-appellant for recovery, only Rs.8 lacs has been found due and payable vide judgment Ex.C-8. In view thereof, the Court has held that the cheque amount is neither due nor payable.

Learned Judicial Magistrate has drawn a reasonable and probable conclusion on appreciation of evidence. Learned counsel for the appellant, although made sincere attempt, however failed to draw attention of the Court to any substantive error or perversity in the judgment. Hence,

no ground to grant leave to appeal is made out.

Dismissed.

In view of the dismissal of the appeal on merits, no orders are required to be passed on the application for condonation of delay.

11.12. 2019	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No