

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

CRM-A-529-MA-2015

Date of Decision: 03.12.2019

M/s KND Infrastructure Private Limited

...Appellant

Versus

Laxman Singh

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Dhiman, Advocate for the appellant.

ANIL KSHETARPAL, J.

Special leave to appeal has been sought against the judgment of acquittal passed by the learned Judicial Magistrate 1st Class, Gurgaon while dismissing the complaint under Section 138 read with Section 142 of the Negotiable Instrument Act, 1881.

The appellant before this Court is a private limited company. It is being claimed that an advance amount of Rs.4,00,000/- was given in cash to the respondent for supply of labourer (manpower). The appellant has not produced evidence in the shape of books of accounts or any written contract whereby the amount in question was given as an advance. Still further, the learned Magistrate, on appreciation of defence evidence, has found that such evidence led is more probable.

The learned Judicial Magistrate has drawn a reasonable and probable conclusion on appreciation of evidence. The aforesaid conclusion is not shown to be result of any substantive error or perversity. Hence, no ground to grant leave to appeal is made out.

Dismissed.

03.12.2019
mks

(ANIL KSHETARPAL)
JUDGE

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