

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

**CRM-A-570-2019(O&M)
Date of decision: 22.11.2019**

Sanjeev Kochhar

.....Appellant

Versus

Ram Mehar

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms. Geeta Rani, Advocate for
Mr.P.K.Hooda, Advocate for the appellant

ANIL KSHETARPAL, J. (ORAL)

Special leave to appeal has been sought against the judgment of acquittal passed by the learned Magistrate while dismissing complaint under Section 138 of the Negotiable Instruments Act. Learned Magistrate has found that the case set up by the complainant cannot be accepted as complainant has averred that Rs.50,000/- was given on loan with a stipulation that it shall be repaid alongwith interest at the rate of 3 % per annum in January, 2003 whereas the cheque in question is of the same amount i.e Rs.50,000/- and there is no explanation as to what has happened to the interest part. Complainant has also admitted that he was not having money lending licence.

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, leave to appeal is declined.

Dismissed.

22.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No