

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

**CRR-2638-2018(O&M)
Date of decision: 21.11.2019**

Harbhajan Lal

.....Petitioner

Versus

Gurcharan Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Rahul Arora, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

Present petition has been filed against judgment passed by learned Additional Sessions Judge partly allowing the appeal filed by the accused-convict under Section 138 of the Negotiable Instruments Act reducing the sentence to four months only. The Court has noticed that accused is a senior citizen. He has faced agony of the trial for the last five years. He has got a large family to support and being the head of the family, he has huge responsibility.

Learned counsel appearing for the petitioner has submitted that sentence awarded is insufficient. On being specifically asked, he has submitted that he does not have any evidence to prove that the respondent is owner of any immovable property. As per Section 138 of Negotiable Instruments Act, the maximum sentence has been laid down, however, there is no minimum sentence. Learned Court of Sessions, in the facts of the

case, has exercised its discretion which is not proved to be perverse.
Hence, no ground to interfere is made out. Dismissed.

21.11. 2019	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No