IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 3950 of 2018
DATE OF DECISION:-20.02.2019

DEWAN SINGH **...PETITIONER...**

V.

STATE OF PUNJAB AND ANR. **...RESPONDENTS...**

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Harchand Singh Batth, Advocate,
for the petitioner.

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RAMENDRA JAIN, J. (ORAL)

Through this revision challenge has been laid to the judgment dated 07.12.2015, whereby petitioner has been held guilty under Section 138 of the Negotiable Instruments Act, 1881 and order of sentence dated 07.12.2015, sentencing the petitioner for rigorous imprisonment for one year and pay fine of Rs.2000/-. In default of payment of fine, to further undergo rigorous imprisonment for one month. As well as judgment dated 12.10.2018, whereby appellate court, partly allowed the appeal of the petitioner, reduced his sentence to the extent of rigorous imprisonment from 01 year to 8 months.

Learned counsel for the petitioner states that he does not challenge the judgment of conviction of the petitioner. He restricts his prayer on the quantum of sentence.

Having given thoughtful consideration, this Court is not inclined

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to further reduce the sentence of the petitioner and finds the instant petition completely devoid of any merit for the reasons to follow:-

1. The petitioner had usurped ₹2,87,000/- of the complainant in the year 2014 by issuing a cheque.

2. This Court, being revisional court has a very limited jurisdiction, which can only be exercised on 3 following infirmities:- (i) if the courts below have exceeded their jurisdiction; (ii) have exercised their jurisdiction illegally and; (iii) have not exercised their jurisdiction diligently.

3. Learned counsel for the petitioner has not been able to point out any such infirmities.

I have gone through judgments of both the courts below. They are well reasoned, being based on appreciation of facts and evidence and thus, do not require any interference by this court.

Dismissed.

Copy of this order be sent to concerned Chief Judicial Magistrate for issuance of arrest warrants of the petitioner to undergo the remaining sentence, if any.

20.02.2019 **(RAMENDRA JAIN)**
sonika **JUDGE**

whether speaking/reasoned: Yes/No
whether reportable: Yes/No

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