

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Revision No.2770 of 2019 (O&M)

Date of Decision: January 17, 2020

Salim Ahmad

...Petitioner

Versus

Madan Mohan Garg & another

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.K. Dhiman, Advocate,
for the petitioner.

MANOJ BAJAJ, J.

Petitioner is aggrieved against the judgment dated 15.05.2019 passed by the Appellate Court, whereby the judgment of conviction dated 28.09.2015 and order of sentence passed by the trial Court on 29.09.2015 in Complaint No.2161 of 2013, C.I.S.No.26334 of 2013, under Section 138 of the Negotiable Instruments Act, 1881, were upheld.

The revision petition carries a delay of 66 days and a separate application, i.e., CRM No.32766 of 2019 has been filed for condonation of the same.

It is pleaded in the application that the petitioner had fallen ill and, therefore, could not appear before the trial Court on 28.03.2019, when his bail was cancelled and the bonds were forfeited. Subsequently, the appeal was dismissed on 15.05.2019 and the said decision was never conveyed to the petitioner by his counsel. As per the contents of the application, the knowledge of the decision of the appeal was acquired by the

petitioner on 09.10.2019, when some police officials visited his house.

This Court, vide order dated 24.10.2019, directed the petitioner to surrender before the Court on or before 29.10.2019. The said order was never complied with. Thereafter, the matter was adjourned on different dates, i.e., 16.11.2019, 05.12.2019 and 07.01.2020 on the request of the counsel for the petitioner.

Mr.R.K.Dhiman, learned counsel for the petitioner has submitted that the petitioner is not in touch with him. He contends that the order dated 24.10.2019 was conveyed to him, however, he is not aware that as to whether the petitioner has surrendered.

Considering the conduct of the petitioner, this Court does not find any valid reason to condone the delay. Resultantly, the application is dismissed and the revision petition also fails.

January 17, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No