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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-830-2021 (O&M)

Date of Decision: 05.10.2021

Bintu Kumar @ Bittu Kumar @ Bintu

.. Petitioner

Vs.

Shiv Karan and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Choudhary, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

Convict/petitioner Bintu Kumar @ Bittu Kumar @ Bintu has filed this revision petition to challenge the Appellate Court decision dated 01.08.2019, whereby the judgment of conviction and order of sentence dated 23.08.2016 passed by trial Court in complaint case bearing No.425-2 of 2014, under Section 138 NI Act was upheld, and the sentence of rigorous imprisonment for two years and a fine of Rs.2,000/- was also maintained.

Learned counsel for the petitioner has argued that during the pendency of the appeal, the petitioner entered into a settlement with the complainant and filed his affidavit dated 09.12.2017 and agreed to make the payment to discharge the liability, however, as the petitioner failed to make the payment, the appellate Court proceeded to decide his appeal in his absence through the impugned judgment 01.8.2019. He states that as per the settlement, a sum of Rs.5000/- was to be paid every month. Learned counsel is unable to give any justification for non-compliance of the undertaking. Apart from it, this revision petition has been filed by the

petitioner after his arrest on 06.05.2021 without offering sufficient explanation, much less the reason to abandon his appeal before the Appellate Court.

Resultantly, no case is made out for exercise of revisional jurisdiction.

Dismissed.

05.10.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No