

CRM-A-2626-MA-2018 (O & M)

::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-A-2626-MA-2018 (O & M)
Date of decision: 01.05.2023

HDFC Bank Ltd. ... Appellant

V/s

Mukesh Kumar ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Saurabh Bhardwaj, Advocate,
for the appellant.

Mr. Ravinder Bangar, Advocate,
for the respondent.

JASJIT SINGH BEDI, J. (Oral)

The Special leave to appeal has been sought against the judgment of acquittal passed by the Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri dated 28.08.2018 dismissing the complaint filed by the appellant-HDFC Bank under Section 138 of the Negotiable Instruments Act, 1881.

2. The present complaint was filed with the averments that the cheque dated 21.09.2011 drawn on Centurion Bank of Punjab, Yamuna Nagar for a sum of Rs.6,81,719/- on presentation had been dishonoured. The learned Judicial Magistrate had found that the Centurion Bank of Punjab

CRM-A-2626-MA-2018 (O & M) ::2::

Bank of Punjab Ltd. Had ceased to existed from 23.05.2008. The Magistrate had drawn a conclusion that the cheque dated 21.09.2011 was drawn on a bank which ceased to exist since 23.05.2008 and, therefore, the case set up by the appellant-HDFC Bank was doubtful.

- 3. This Court has heard the learned counsel for the appellant and with his able assistance gone through the paper book.
- 4. Although, the learned counsel for the appellant has made sincere attempts, however, he has failed to draw any perversity or substantive error in the judgment under appeal. In fact, in a similar case titled as ‘HDFC Bank Ltd. Versus Suresh Pal bearing CRM-A-2325-MA-2018, the leave to appeal came to be dismissed vide judgment dated 19.12.2022.
- 5. Hence, no ground to grant special leave to appeal is made out.
- 6. Dismissed.

May 01, 2023
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No