

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-A-609-MA-2017 (O&M)
Date of Decision:13.09.2023

Rajinder Kumar ...Appellant

Vs.

Balwinder Kaur and Anr. ...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Ms. Sarika Gupta, Advocate
for the appellant.

None for respondent No.1.

N.S.Shekhawat J.

CRM-9720-2017

1. The applicant/appellant has moved the instant application under Section 5 of Limitation Act for condonation of delay of 28 days in filing the present appeal.

2. Learned counsel for the applicant/appellant submits that vide the impugned judgment dated 25.11.2016 passed by the Court of Judicial Magistrate Ist Class, SBS Nagar, the respondent was ordered to be acquitted of the notice of accusation under Section 138 of the Negotiable Instruments Act. After hearing the judgment of acquittal, the applicant/appellant was shocked and was informed that he had a right to file an appeal before this Court. Learned counsel further contends that due to demonetization of currency notes, the applicant/appellant faced financial difficulty and could not arrange money for engaging a counsel before this Court. He further contends that due to the said fact, the delay of 28 days had occurred in filing the present appeal.

3. I have heard the learned counsel for the applicant/appellant and

find no merit in the submissions raised by learned counsel for the applicant/appellant. There are no sufficient grounds for condonation of delay in filing the present appeal. The applicant/appellant has made general submissions to explain the delay in filing the present appeal, which are not satisfactory. Accordingly, the application for condonation of delay in filing the present appeal is ordered to be dismissed.

Main case

1. Since the application for condonation of delay in filing the present appeal has been ordered to be dismissed, no separate orders are required to be passed in the main case. The appeal is accordingly, ordered to be dismissed.

13.09.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No