

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

LPA-185-2023 (O & M)
Date of Decision: 27.02.2023

Krishan Chander Verma

.....Appellant(s)

Versus

State of Union Territory, Chandigarh and others

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Ms. Rahish Pahwa, Legal Aid Counsel,
for the appellant.

Ms. Neha Avasthi, Advocate,
and Ms. Amrita Garg, Advocate,
for U.T., Chandigarh.

G.S.SANDHAWALIA, J. (Oral)

The present time barred appeal of the unsuccessful writ petitioner with 44 days in filing the same is directed against the order of the learned Single Judge passed in CWP No. 13043 of 2019 on 18.05.2022. The writ petition as such of the present appellant was dismissed while noting that the claim was for correction of DDR recorded in Police Station 34, Chandigarh and the record shows that another DDR in the nature of correction already stands recorded. It was also noticed that it would not be appropriate for the Court to enter into the domain of recording and correction of DDRs and any observations made in the impugned order passed by the Police Complaints Authority would not be taken adverse to the writ petitioner in any other proceedings.

The challenge in the writ petition as such was to the order dated 23.10.2018 (Annexure P-5 therein) wherein the complaint as such filed by the appellant was dismissed by the Police Complaints Authority, U.T., Chandigarh, wherein his grouse was that the DDR which he had lodged made

mention only of two driving licenses which had been lost but did not give reference to the cheque bearing No.269115 drawn on the Indian Bank, Burail. The said order would also go on to show that the complainant was convicted and sentenced already for the above said cheque for a period of one year on 17.10.2017 and the complaint for correction had been filed subsequently on 06.07.2018 (Annexure P-4). It was noticed by the said authority that the cheque was presented for encashment and bounced on account of insufficient funds and the authority noted that it was apparently a defence on the criminal side that request had been made and on the loss of a blank cheque, normally one would rush to the bank to stop payment on the said cheque. The said order firstly was subject matter of appeal in *LPA No. 627 of 2022, Krishan Chander Verma vs. State of U.T., Chandigarh and others*, which was decided on 01.08.2022 and liberty was given to file a review before the learned Single Judge. The said review has been dismissed on 08.12.2022 by the learned Single Judge noticing that it is an attempt as such to reargue the case.

Keeping in view the above background, we are of the considered opinion that it is only an attempt by the appellant to project and put forward a credible defence in the cheque bouncing case for which he already stands convicted. An appeal is pending and, therefore, we feel that the learned Single Judge was well justified in not interfering with the said order. Even otherwise, it is to be noticed that the present appeal has been filed through a legal aid counsel. On 21.02.2023, the following order was passed:-

“Since the appeal has been filed through the Legal Aid Counsel and prima facie we are of the considered opinion that the appellant is misusing the benefit of legal aid as he is not a person who would fall within that category to avail the benefit, especially,

keeping in view the fact that he is running a Kiryana Store in Sector 46-D, Chandigarh, and the dispute revolves around a payment of `2,00,000/- cheque which he had issued and in that case he has been convicted also.

Secretary, High Court Legal Services Authority, shall also attach the records of the application filed by the appellant seeking free legal aid.

Adjourned to 27.02.2023.”

We are, thus, of the considered opinion that even otherwise, the services of the Legal Service Authorities is being misused by the present appellant by filing repeated litigations, free of cost, for his personal cause and for that reason also, we do not wish to interfere in the order of the learned Single Judge. The present appeal stands dismissed.

(G.S. SANDHAWALIA)
JUDGE

27.02.2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No