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202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-840-2021

Date of Decision: 31.07.2023

Kamala Singh

..... Petitioner

Versus

M/s Signet Crop Science India Private Limited and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : None for the petitioner.

Mr. K.K.Chahal, Additional Advocate General, Haryana,
for respondent No.2-State.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been preferred by the petitioner against the impugned judgment dated 21.02.2019 passed by the Additional Sessions Judge, Karnal, whereby the appeal filed against the judgment dated 01.09.2015 and order of sentence dated 17.09.2015 passed by the Judicial Magistrate Ist Class, Karnal, in a criminal complaint under Section 138 of the Negotiable Instruments Act, has been dismissed.

On the previous date, a detailed order was passed for ensuring presence of the petitioner through warrants of arrest. Learned counsel for the State, on instructions from ASI Randhir Singh, has submitted that the police had gone to the house of the petitioner, however, he was not found present at his residence. Therefore, he could not be produced before the Court. Earlier also, a statement was made by the learned counsel for the

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petitioner that the petitioner had taken away the brief from him. It is only thereafter, that the previous detailed order was passed by a Coordinate Bench reflecting therein that the petitioner was deliberately avoiding appearance before this Court; either in person or through his counsel. The subject matter of the case is that the petitioner was convicted and sentenced by the Judicial Magistrate Ist Class, Karnal, for the offence under Section 138 of the Negotiable Instruments Act. The said conviction and sentence was upheld by the lower Appellate Court vide judgment dated 21.02.2019. It is challenging the said orders passed by the lower Appellate Court and the Trial Court, the present petition has been filed.

A perusal of the file shows that the ingredients of the offence have duly been established against the petitioner during the trial. The material has rightly been appreciated by both the Courts below. This Court does not find any finding recorded by the Courts below to be perverse or as not supported by the evidence. Merely because a different opinion is possible after re-appreciation of the evidence; may not be a sufficient ground to interfere through the revision petition.

In view of the above, finding no merit in the present petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

31.07.2023
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No