

S. No.113

2024:PHHC:010449

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.2874 of 2023 (O&M)

Date of Decision:25.01.2024

Kapil Takiar and anotherPetitioners

Vs.

Parvesh Kumar and anotherRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Namit Gautam, Advocate for the petitioners.

DEEPAK GUPTA, J. (Oral)

Petitioners were convicted by learned trial Court vide judgment dated 19.09.2019 in Criminal Complaint No.106/2/2013, CNR No.PBJLB1-000774-2013, titled “Parvesh Kumar and another Vs. M/s V.K. Rice Mills, Bilga Road, Nurmahl, Tehsil Phillaur,” under Section 138 of the Negotiable Instruments Act and were sentenced to undergo rigorous imprisonment for a period of two years and to pay the compensation to the tune of double of the cheque amount to the complainant under Section 357 Cr.P.C, for committing the said offence.

Petitioners preferred an appeal before the Court of Sessions. The same was dismissed on 20.11.2023. Order of dismissal of the appeal was announced in the absence of the petitioners but in the presence of their counsel.

Against the afore-said concurrent finding of conviction, this criminal revision has been filed.

On the last date of hearing, following order was passed by this Court:-

“A perusal of the paper book reveals that after dismissal of the appeal against conviction, petitioners have not surrendered before

the Court concerned, despite the fact that order regarding dismissal of appeal was pronounced in the presence of their counsel.

In these circumstances, petitioners are directed to first surrender before the trial Court concerned and then to approach this Court.

Adjourned to 25.01.2024.”

Today, it is informed by learned counsel for the petitioners that the petitioners have not surrendered till date. Learned counsel requests that this revision be considered without surrendering of the petitioners.

Request is declined.

Petition is dismissed for non-compliance.

January 25, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No