

Narotam Chand vs. Rakesh Kumar and another

Cr. Revision No.139 of 2022

16.09.2024 Present Mr. Bhupinder Singh Ahuja, Advocate, for the petitioner.
Mr. G.R.Palsra, Advocate for respondent No.1.
Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C.Verma, Additional Advocate Generals, with Mr. Ravi Chauhan, Deputy Advocate General, for the respondent-State.

During arguments, learned counsel for the petitioner placed reliance upon the judgment passed by Hon'ble Apex Court in **Basalingappa versus Mudibasappa**, Cr. Appeal No.636 of 2019 (arising out of SLP(Criminal No.8641 of 2018), to contend that since accused has successfully proved on record that complainant had no financial capacity to pay sum of Rs. 7,00,000/-, which fact has been specifically admitted by him in his cross-examination, there was no occasion for the Court below to hold accused guilty of his having committed offence punishable under Section 138 of the Negotiable Instruments Act.

Learned counsel representing respondent No.1 prays for and is granted one week's time to go through aforesaid judgment.

List on 25.09.2024.

(Sandeep Sharma)
Judge

September 16,2024
(shankar)