

Narotam Chand vs. Rakesh Kumar & Anr.

Cr. Revision No. 139 of 2022.

17.06.2022. Present: Mr. Varun Chandel, Advocate, for the petitioner.

Mr. G.R.Palsra, Advocate, for respondent No.1.

Mr. Ashok Sharma, Advocate General with Mr. Rajinder Dogra, Senior Additional Advocate General, Mr. Vinod Thakur, Additional Advocate General, for respondent No.2.

On 20.05.2022, this Court passed the following

order:-

“Admittedly, the cheque amount in question is Rs.7,00,000/-. It is not understood how the learned Trial Magistrate awarded a mere compensation of meager amount of Rs.85,000/-, that too, without assigning any reason. What is more strange is that the learned Additional Sessions Judge did not bother to consult the records and took it to be the admitted case of the parties that the cheque amount was only Rs.85,000/-. Whereas, as observed above, the same was Rs.7,00,000/-.

Now the moot question is whether the learned Trial Magistrate could have awarded the compensation less than the cheque amount?

List on 17.06.2022.”

Let notices inviting their comments be issued to both the Judicial Officers namely Shri Vishal, the then Judicial Magistrate Ist Class and Shri J.L. Azad the then Additional Sessions Judge, in light of the observations made in the aforesaid order so as to reach this Court well before the next date of hearing. Let copy(ies) of the judgments

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rendered by them be annexed with the notice. List on
15.07.2022.

(Tarlok Singh Chauhan)
Judge

17th June, 2022.
(krt)