

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal(Crl.).../2001
(From the judgement and order dated 18/08/2000 in MCRLC 4984/99
of The HIGH COURT OF M.P AT INDORE)

KUSHAL SINGH

Petitioner (s)

VERSUS

BALKRISHNA DAVE & ANR.
(With Crl.M.P. No 4192/2001 for c/delay in filing SLP)

Respondent (s)

Date : 13/07/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. DK Singh,Adv.
Mr. Abhijit Sengupta,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.

.SP2

Delay condoned.

According to the learned counsel for the petitioner the notice issued on 19.2.99 was not on the basis of any dishonour of the cheque as envisaged in Section 138 of the Negotiable Instruments Act. Hence the said notice could not have been used as a bar for filing the complaint based on the dishonour of the cheque dated 22.3.1999 (for which a separate notice was issued by the complainant on 7.4.99). Issue notice.

.SP1

(N.K. Goel)
Court Master

(H.K. Bhatia)
Court Master