

Petition(s) for Special Leave to Appeal (Crl) No(s).5761/2010

(From the judgement and order dated 21/05/2010 in CRLMA No.  
773/2009 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

YOGENDRA PRATAP SINGH

Petitioner(s)

VERSUS

SAVITRI PANDEY & ANR

Respondent(s)

(With appln(s) for exemption from filing O.T.)

Date: 26/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. Shakil Ahmed Syed, Adv.  
Mr. Syed Ahmad Saud, Adv.  
Mr. Mohd. Moonis Abbasi, Adv.  
Mr. Shuaib-uddin, Adv.

For Respondent(s)

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

The learned counsel for the petitioner has placed  
reliance on the decision in Ganga Ram Singh Vs. State  
of U. P. & Ors. [ 2005 (52) ACC 942] wherein Allahabad  
High Court has taken the view that complaint under  
Section 138 of the Negotiable Instruments Act, 1881  
filed before expiry of 15 days should not be dismissed  
but the complainant should be allowed to establish his  
case or congizance can be taken after the expiry of the  
stipulated period.

In view of the said decision, issue notice.

(Neetu Sachdeva)  
Sr. P. A.

(Sneh Bala Mehra)  
Court Master