

**Company:** Sol Infotech Pvt. Ltd.

Website: www.courtkutchehry.com

**Printed For:** 

**Date:** 12/12/2025

## (2012) 11 P&H CK 0089

# High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Misc.-A 924-MA of 2011 (O and M)

Shyam Sunder Verma

**APPELLANT** 

۷s

Dharambir Jyanti

RESPONDENT

Date of Decision: Nov. 6, 2012

### **Acts Referred:**

• Criminal Procedure Code, 1973 (CrPC) - Section 372, 378(4)

• Negotiable Instruments Act, 1881 (NI) - Section 138

• Penal Code, 1860 (IPC) - Section 420

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Advocate: Pankaj Maini, for the Appellant;

## **Judgement**

Ram Chand Gupta, J.

CRM No. 65368 of 2012

### 1. Heard.

In view of the facts mentioned in the application, the same is allowed and order dated 08.10.2012 dismissing the present application/appeal for non-prosecution is, hereby, recalled and application and appeal are restored at their original numbers.

CRM stands disposed of.

CRM-A 924-MA of 2011 (O&M)

The present application and appeal have been filed u/s 378(4) of Code of Criminal Procedure for granting Special Leave to Appeal against the judgment of acquittal dated 31.05.2010 passed by learned Judicial Magistrate First Class, Hisar u/s 138 of Negotiable Instruments Act read with Section 420 IPC.

- 2. Now after recent amendment in Section 372 of Code of Criminal Procedure, the applicant-appellant is having right to appeal before court of sessions against judgment of acquittal passed by a Magistrate.
- 3. Hence, in this view of the matter, the present application and appeal are disposed of with liberty to applicant-appellant to file appeal before court of Sessions. However, in case an application for condonation of delay is filed by applicant-appellant, the period spent by him in pursuing this application before this Court may be considered.