
(2011) 06 SHI CK 0056

High Court of Himachal Pradesh

Case No: Criminal Rev. No. 107 of 2011

Ranjit Singh Chadha.

APPELLANT

Vs

ICICI Bank Ltd.

RESPONDENT

Date of Decision: June 24, 2011

Acts Referred:

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

Hon'ble Judges: Dev Darshan Sood, J

Bench: Single Bench

Judgement

Dev Darshan Sud, J.

This revision petition is filed against the concurrent findings of the two courts below convicting the Petitioner for offences u/s 138 of the Negotiable Instruments Act ordering that a sum of Rs. 10,000/- be paid as compensation to the Respondent and simple imprisonment for 15 days. The cheque in question was for a sum of Rs. 9,700/-.

2. On appeal, the learned appellate Court affirmed the judgment and sentence imposed by the learned trial Court. This revision petition has now been preferred against the findings of the two courts below. I must express my amazement at the manner in which a petty amount of Rs. 9,700/- has been dragged into litigation in three Courts. The docket of the court has been crowded with frivolous Whether reporters of the Local papers are allowed to see the judgment?. litigation, it does not countenance any judicial scrutiny. I find no merit in this revision petition which is accordingly dismissed.

3. On the aspect of sentencing, I direct that the Petitioner shall deposit a sum of Rs. 13,000/- before the learned trial Court within a period of one month from today. On such deposit being made, the amount shall be paid to the Respondent-complainant. In these circumstances, the sentence of imprisonment is set aside. It is however clarified that in case of non deposit of the amount within the stipulated period, the

sentence of imprisonment shall revive and the trial Court shall faithfully and duly execute the sentence. The petition is disposed of.