

(2021) 03 KL CK 0022

In the High Court Of Kerala

Case No : Criminal Revision Petition No. 2062 Of 2012

Jaina Babu

APPELLANT

Vs

M/S Klm Chit Syndicate And Ors

RESPONDENT

Date of Decision : 02-03-2021

Acts Referred:

Negotiable Instruments Act, 1881 — Section 138

Citation : (2021) 03 KL CK 0022

Hon'ble Judges : B. Sudheendra Kumar, J

Bench : Single Bench

Advocate : S. Jiji, S. Dileep

Final Decision : Dismissed

Judgement

1. The revision petitioner was convicted and sentenced by the courts below under Section 138 of the Negotiable Instruments Act (in short, 'the N.I.Act').

2. Heard.

3. The courts below correctly appreciated the oral and documentary evidence and concurrently found that the revision petitioner executed Ext.P5

cheque as contemplated under Section 138 of the N.I.Act and committed the offence under Section 138 of the N.I.Act. No material has been brought

to the notice of this Court to indicate that the appreciation of evidence or the concurrent finding of conviction by the courts below was perverse or

incorrect. In the said circumstances, the concurrent finding of conviction by the courts below under Section 138 of the N.I.Act does not warrant any

interference by this Court. The sentence awarded by the appellate court also does not warrant any interference by this Court.

In the result, this Revision Petition stands dismissed.

The revision petitioner shall surrender before the trial court on 7.4.2021 to suffer the sentence of imprisonment till the rising of the court awarded by the appellate court.

The revision petitioner is granted six months to pay the compensation as requested by the learned counsel for the revision petitioner.