
(2020) 12 KL CK 0288

In the High Court Of Kerala

Case No : Criminal Revision Petition No. 537 Of 2017

Santhosh K.

APPELLANT

Vs

State Of Kerala And Anr

RESPONDENT

Date of Decision : 16-12-2020

Acts Referred:

Negotiable Instruments Act, 1881 — Section 138

Citation : (2020) 12 KL CK 0288

Hon'ble Judges : B. Sudheendra Kumar, J

Bench : Single Bench

Advocate : K. Siju, S. Seetha, M.K. Pushpalatha, K. Vidyasagar

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.P2

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 Criminal Revision Petition stands dismissed. However, the revision petitioner is granted six months to pay the compensation as requested by the learned counsel for the revision petitioner.

Needless to state that, if the revision petitioner had already deposited any amount before the trial court in connection with this case, the said amount will be released to the complainant as part of the compensation.