

Ujjagar Singh Vs. The Bathinda Central Coop. Bank

CNR No.PBBT01-004932-2019

CIS No.CRA-136/2019

1.8.2019 Present: Sh.G.S.Jhumba, Counsel for the appellant.
Sh.M.S.Brar, Counsel for respondent bank.

Today learned counsel appearing on behalf of the appellant moved an application seeking exemption from personal appearance of the appellant on the ground that the appellant is suffering from fever and as such, he is unable to attend the court. Keeping in view the contents mentioned in the application and in the interest of justice, personal appearance of the appellant is exempted for today only.

Having considered the submissions of the parties on the point of maintainability as the appellant has not deposited 20% of the cheque amount, this court finds that mere non-deposit of amount of 20% of cheque amount, right of appellant to contest the appeal on merits, does not frustrate and as such, the instant appeal is maintainable. However, the respondent-complainant would be at liberty to recover 20% of the amount, as directed by this Court, with the aid of Section 421 of the Code of Criminal Procedure.

Now appeal stands adjourned to 14.8.2019 for arguments.

(Kamaljit Lamba)
Sessions Judge.
(UID No.PB 0055)

Date of order: 1.8.2019
Nisha