

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No.26706 of 2015
Date of Decision : 08.09.2015**

Krishan Dutt Karanwal

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Arun Singal, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner has sought quashing of the FIR No.486 dated 21.12.2010 registered under Sections 420, 467, 468, 471 IPC at Police Station Gohana District Sonipat.

As per the allegations the petitioner had taken a loan from the complainant-respondent No.2 and in discharge thereof had given him a cheque which was dishonoured on account of the fact that the signature did not match with that of the holder of the account. The complainant filed complaint under Section 138 of the Negotiable Instruments Act which was quashed by this Court when the petitioner filed a petition stating that once the cheque was not from his account complaint under Section 138 could not lie. Now in the instant FIR it has been claimed that the petitioner

intentionally gave a cheque which was not from his account to defraud the complainant.

On the last date I asked the learned counsel for the petitioner to ascertain whether the cheque in question was from the account of the son of the petitioner. Today he has fairly accepted that the cheque is from the account of the son of the petitioner. In the circumstances, there is no ground to quash the FIR.

Petition is dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

September 08, 2015

ashish

**(AJAY TEWARI)
JUDGE**