

CRM-M-4021-2015

Date of decision : 09.02.2015

Mahmood Hasan Saffi and another

... Petitioners

Versus

Rajender Singh

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

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

REKHA MITTAL, J.(ORAL)

The petitioners, by invoking the provisions of Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.'), have sought for quashing order dated 20.01.2015 (Annexure P3) whereby the application filed under Section 245(2) Cr.P.C. for dismissal of the complaint on the premise that cheque return memo contained two observations "Insufficient Funds & Account Dorment" has been dismissed.

Perusal of the impugned order would make it evident that the case is at its fag end wherein accused-petitioner has already examined two witnesses in defence and his application for permission to examine himself under Section 315(2) Cr.P.C. has been allowed.

Keeping in view the fact that case is to be decided on the basis of evidence already adduced by the parties, I do not think it to be a fit case wherein intervention of this Court in exercise of jurisdiction under Section 482 is warranted.

Dismissed.

(REKHA MITTAL)
JUDGE

February 09, 2015.**DK**