

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-15324 of 2014

Date of decision: 18.01.2016

Gurmeet Singh

.....Petitioner

versus

Krishan Kumar

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Ravinder Malik, Advocate for the petitioner
None for the respondent

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present petition filed under Section 482 Cr.P.C. is the order dated 12.3.2014 (Annexure P8), passed by the learned Judicial Magistrate 1st Class, Ambala, vide which, the application of the complainant (petitioner herein) for amendment of the complaint to correct some clerical error was dismissed.

It comes out that the present petitioner has filed a complaint under Section 138 of the Negotiable Instruments Act, 1881. It is stated that inadvertently, in the said complaint, name of the Bank Axis Bank, Ambala City was mentioned as The Central Co-operative Bank, Ambala City and the cheque was presented in the said bank accordingly. Therefore, the said clerical error is sought to be corrected.

I have heard learned counsel for the petitioner.

Today, none has appeared for the respondent. I have considered the case of the respondent.

I am of the view that there are the documents on the file to show that as to before which Bank, the cheque was presented. Therefore, the error is of clerical nature and appears to have been crept into due to typographical mistake. As such, the amendment of complaint to correct name of Bank from The Central Co-operative Bank, Ambala City as Axis Bank, Ambala City is allowed.

The petition stands allowed accordingly.

18.01.2016
gk

(Kuldip Singh)
Judge