

CRM No. M-30512 of 2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-30512 of 2017
Date of Decision : 21.08.2017

Krishan Kumar

...Petitioner

Versus

Bhupinder Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Shiv Kumar, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner has assailed the order dated 03.04.2014 (Annexure P-4) passed by Judicial Magistrate Ist Class, Karnal, whereby his application for examining the handwriting expert had been dismissed as well as order of the Additional Sessions Judge, Karnal, whereby revision there against had been dismissed.

Learned counsel for the petitioner contends that it was necessary for the petitioner to examine handwriting expert.

Heard.

It is manifest from the perusal of the complaint and the impugned order that the cheque in question was dishonoured due to 'Insufficiency of Funds'. In the cross-examination of CW2 and CW3, no suggestion had been put to them that signatures were forged or fabricated. Suggestion had been made that the signed cheque had been stolen and misused by the complainant. It was only at the time of submitting the application for examining the

handwriting expert on 28.11.2013 that the petitioner for the first time took the stand as the signature on the cheque had been forged. In any event as the cheque had been dishonoured on the ground of Insufficient Funds, the bank officials would obviously have compared the signatures of the petitioner with those on the cheque before making this report.

The view taken by the Courts below in disallowing the application of the petitioner for examining the handwriting expert is a plausible one, which does not warrant interference while exercising jurisdiction under Section 482 of Cr.P.C. Consequently, the petition stands dismissed. However, nothing whatsoever which has been observed here-in-above and by the Courts below while declining the application of the petitioner for examining the handwriting expert will have any bearing on the merits of the case.

August 21, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No