

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

CRM-M-22396-2018

Date of Decision:-26.10.2018

Dayanand Singhal

... Petitioner

Versus

Sandeep Sharma

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prateek Rathee, Advocate
for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

Present petition has been filed by the petitioner-complainant seeking modification of order dated 31.01.2017 wherein the learned trial Court while summoning the accused for an offence under Section 138 of Negotiable Instruments Act, 1881 had referred to only one of the cheque in question although the complaint had been filed in respect of two different cheques. Thereafter the complainant had moved an application dated 10.10.2017 (Annexure P-3) praying therein that cognizance be taken in respect of the other cheque as well. Since the said application had not been

decided the complainant moved this petition before this Court seeking issuance of appropriate direction to the trial Court to take cognizance of the second cheque as well.

Vide order dated 19.09.2018 passed by a Coordinate Bench of this Court, the trial Court was directed to pass a speaking order on the aforesaid application and to inform this Court as well.

Report of learned learned Judicial Magistrate Ist Class, Gurugram has been received to the effect that the learned Advocate for the complainant Sh. Vivek K. Nasa had requested the Court to dismiss the application as withdrawn, which he had moved under the provisions of Section 204 read with Section 465 Cr.P.C. and consequently the application was dismissed as withdrawn.

On account of application (Annexure P-3) having been withdrawn by complainant himself, the present petition has been rendered infructuous and is dismissed as such.

Before parting with this order, this Court is compelled to refer to the opening lines of letter No.219 dated 03.10.2018 received from the learned Magistrate, Gurugram which read as under:-

“It is respectfully submitted that **VOD** 19.09.2018, in CRM-M-22396-2018 (O&M) titled as Dayanand Singhal Versus Sandeep Sharma, The Hon’ble Punjab and Haryana High Court has pleased to direct the trial Court to decide the application pending in the Court wherein applicant has sought to take cognizance regarding dishonour of cheque. xxxxxxxx”

The aforesaid abbreviation ‘**VOD**’ is not in legal parlance but perhaps purports to mean “Vide Order Dated”. The learned District & Sessions Judge, Gurugram is directed to advise all the Judicial Officers not to use such like abbreviations in official correspondence.

26.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

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