

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.420-2016 (O&M)

Date of decision : 04.12.2018

Sanju Kumar Shastri

..... Petitioner

Versus

Ajay Khosla and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr.K.S.Kahlon, Advocate for the petitioner
Mr.Vipin Mahajan, Advocate for the respondent no.1
Mr.Sunint Kaur, AAG Punjab

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (Oral)

Impugned in the present petition is order dated 23.11.2015 (Annexure P1) passed by learned Judicial Magistrate 1st Class, Gurdaspur, vide which, an application filed by the present petitioner for sending the cheque to the Government laboratory for getting examined the handwriting on the body of the cheque and signatures of the accused was declined.

Heard.

In this case, complaint under Section 138 of Negotiable Instruments Act, 1881 is pending. Cheque is stated to have bounced on the grounds of 'insufficient funds'. The accused-petitioner wants to send the cheque to Government laboratory to prove that the handwriting on the body of the cheque and signatures of the accused are in different handwriting. He is always at liberty to examine private expert if he feels that the same has

any bearing on the merits of the case, while leading defence evidence.

It being so, there is no illegality or infirmity in the impugned order.

Resultantly, the present petition stands dismissed.

04.12.2018

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned: Yes

Whether Reportable: No