

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24263 of 2017

Date of Decision: 16.09.2019

Balwinder Kumar Verma and others

....Petitioner

Versus

Amarjit Singh Ahuja

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

ANIL KSHETARPAL, J

Prayer in this petition is for quashing of criminal complaint under Section 138 of Negotiable Instrument Act.

Learned counsel for the petitioner contends that since previously also similar complaint was filed in which petitioner was convicted and there was a compromise between the parties. Therefore, the cheque, in question was infact a blank signed cheque, which has been used by the complainant. He further submits that on the cheque, two account numbers have been mentioned.

This Court has considered the submissions advanced by learned counsel for the petitioner.

The quashing of the criminal complaint at preliminary stage is permissible only when the High Court is certain that the criminal complaint instituted is false on the basis of allegations made in the complaint. In the present case, this Court does not find that such finding can be recorded.

Hence, the petitioner is relegated to the remedy before the Trial Court.

Disposed of accordingly.

(ANIL KSHETARPAL)
JUDGE

16.09.2019
Manpreet

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No