

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13894-2019 (O&M)

Date of decision: 27.03.2019

Harish Kumar

... Petitioner

Vs.

M/s Parveen Textiles

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aman Goel, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 15.09.2018 (Annexure P-3) passed by the trial Court, vide which application filed by the petitioner under Section 311 Cr.P.C., for examination of hand-writing expert to compare the handwriting of the petitioner on the cheques in question, was declined.

Brief facts of the case are that the respondent-complainant had filed a complaint under Section 138 of Negotiable Instruments Act, 1881 on account of dishonouring of the cheques, as detailed in the complaint. The petitioner-accused moved an application under Section 311 Cr.P.C. for examination of the handwriting expert to compare the hand-writing of the petitioner on the cheques in question with the standard hand-writing of the petitioner. The application was contested by the respondent-complainant. Thereafter, the trial Court vide

impugned order dated 15.09.2018 dismissed the application. That is how present petition has been filed challenging the aforesaid order.

On a Court query, learned counsel for the petitioner could not dispute that the petitioner is not challenging or disputing his signatures over the cheques as the only dispute is about hand-writing, in which name/amount/dates etc. were filled up by some other person.

After hearing learned counsel for the petitioner, I find no ground to interfere in the impugned order passed by the trial Court.

Once it is admitted by the petitioner that the cheques bear his signatures, it will be of no relevance if the hand-writing of some other person, who has filled up other particulars like name/amount/dates etc., were in the hand-writing of the petitioner or not.

Petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

27.03.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No