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

**CRR-2145-2017 (O&M)
Date of decision-15.01.2020**

Manoj Kumar Singh

...Petitioner

Vs.

Rajkishore Sharma

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

MANOJ BAJAJ, J.

This revision petition has been filed by petitioner to challenge the order dated 25.05.2017 passed by Judicial Magistrate First Class, Faridabad, in complaint case No.1971 dated 15.12.2014 filed under Section 138 Negotiable Instruments Act, 1881, whereby the application filed by the petitioner for verification of handwriting/signatures of complainant on ledger statement (Exhibit D-1) from handwriting/finger print expert was dismissed.

The facts in brief, leading to the revision petition are as under:-

Respondent-Rajkishore Sharma brought the criminal complaint under Section 138 of Negotiable Instruments Act, 1881 against the petitioner, wherein it was alleged that complainant had advanced a family loan of Rs.3,00,000/- on 15.05.2014 to the petitioner who had promised to

return the same within a period of 6-7 months. Two cheques bearing No.611273 dated 31.10.2014 and 611274 dated 01.11.2014, respectively, were issued by petitioner in favour of the complainant for a sum of Rs.1,50,000/-each drawn at HDFC Bank, Surajkund Faridabad. However, on presentation, the said cheques got dishonoured on account of 'insufficient funds'. Despite issuance of legal notice dated 13.11.2014, no payment was made by accused thereby compelling the respondent to file the complaint.

During the trial, the petitioner had filed an application for comparison of signatures of complainant from handwriting and finger print expert and the same was dismissed vide order dated 25.05.2017. Hence this revision petition.

Learned counsel for the petitioner contends that the trial Court has committed a serious error of law by rejecting the prayer of the petitioner whereas the verification of signatures of complainant on the ledger Exhibit D-1 is necessary for just and appropriate decision of the case.

After hearing learned counsel for the petitioner and perusing the impugned order, this Court finds that the trial Court has examined the issue carefully while declining the prayer made by the accused. It has come on record that the complainant disputed his signatures on ledger statement (Exhibit D-1) and claimed it to be forged and fabricated document.

Considering the nature of the case set up by the complainant, this Court finds that the prayer made in the application is not worth acceptance. It is rightly observed by the trial Court that the petitioner only wants to delay the proceedings of the case and the examination of said

document from handwriting and finger print expert is not essential.

In view of the above, no ground is made out for interference.

Petition is dismissed.

15.01.2020

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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No