

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

201

CRM-M-17320-2017 (O&M)

Date of Decision: 22.11.2022

ASHRAF

...Petitioner

Versus

JASWANT GOYAL

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Mohd. Arshad, Advocate
for the petitioners.

None for the respondent.

HARNARESH SINGH GILL, J.(Oral)

Challenge is to the order dated 15.12.2016 (Annexure P-3) passed by the learned Additional Sessions Judge, Mewat, vide which the revision preferred by Jaswant Goyal (respondent herein) against the order dated 09.03.2016 passed by the learned Judicial Magistrate, 1st Class, Ferozepur, was allowed.

Learned counsel for the petitioner would vehemently contend that the learned trial Court was perfectly justified in passing the order dated 09.03.2016, thereby declining an application moved by respondent-complainant Jaswant Singh. It is further submitted that once the trial Court had formed a definite opinion that the Court can compare signatures or handwriting by using its own eyes to compare the disputed writing with the admitting writing, there was no occasion for the learned Additional Sessions Judge, Mewat, to set aside the said order and allow the said application of the complainant-respondent.

However, I do not find any merit in the said argument of the learned counsel for the petitioner.

Any procedural aspect allowed by the Court is only in aid to the process of adjudicating the lis between the parties in a just and proper manner. It could not be shown as to what prejudice has been caused to the rights of the petitioner. If the learned Additional Sessions Judge, Mewat has allowed the application of the complainant-respondent thereby calling upon the petitioner to give his specimen signatures for comparison, the same would facilitate the proper adjudication of the issue in dispute.

In view of the above, I do not find any patent illegality in the order passed by the learned Additional Sessions Judge, Mewat. Consequently, the present petition is dismissed.

22.11.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>