

CRM-M-31769 of 2023

[1] 2023:PHHC:084870

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-31769 of 2023

Date of decision:06.07.2023

Ajay Pal

... Petitioner

Vs.

Meenu

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Atul Prataap Dhankhar, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., petitioner seek quashing of impugned order dated 06.06.2023 passed by learned Sub Divisional Judicial Magistrate, Ganaur (Sonipat) (Annexure P-7).

2. Counsel for the petitioner has contended that the petitioner instituted the complaint under Section 138 of the Negotiable Instruments Act, 1881 on account of dishonouring of a cheque of Rs.6.90 lacs issued by the accused-respondent in discharge of a legally enforceable debt. He submits that after recording of statement of the accused under Section 313 Cr.P.C, she moved an application for getting her signatures on the cheque compared from a handwriting expert, which has been accepted by the Trial Court, vide order impugned herein. He urges that application has been filed at the fag end of the trial with an intention to delay the proceedings. Still further, it is his submission that comparison can be done by the Forensic

Science Laboratory.

3.

I have considered the submissions made by counsel for the petitioner.
4.

One of the primary objectives of criminal law is to find out the truth. Stand of the accused-respondent is that she has not signed the cheque in dispute, nor has it been issued by her. Therefore, on her application, by order under challenge, Trial Court has directed that the comparison of the alleged signatures on the disputed cheque with her specimen signature on the case file, at her own expense from a certified forensic expert. Report of the expert will aid the Trial Court to unearth the truth and reach a conclusion as to whether the negotiable instrument has been executed by the accused. There is no illegality or infirmity in the impugned order.
5.

Petition being bereft of merit, is hereby dismissed.

July 06, 2023

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No