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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 1742 of 2024

Date of Decision: 12.09.2024

Rajat Bhatia

...Petitioner

Versus

Jatin Chawla

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amit Arora, Advocate
for the petitioner.

ANOOP CHITKARA, J.

Aggrieved by dismissal of the application to amend the complaint by deleting paras no.6 and 7 of the complaint, the complainant has come up before this Court.

Paras no.6 and 7 reads as follows:-

"6. That the complainant approached the accused and appraised him about the fate of cheque. Upon which the accused have taken the plea that due to unavoidable circumstances, accused could not maintain sufficient balance in his account to honour the said cheque and requested complainant to represent the said cheque after one month times period and assured complainant that the same would be encashed definitely.

7. That keeping in view the relations with the accused and treated his reason as genuine, complainant agreed for the same and again represented the said cheque with his banker for encashment but the same was again dishonoured by the accused's banker vide "return memo dated: 01.09.2022 with remarks "Funds Insufficient".

On the face of it, it discloses complainant's state of mind and is a relevant fact under Section 2(f) of Bharatiya Sakshya Adhiniyam (corresponding to Section 3(2) of Indian Evidence Act).

Given above, there is no illegality in the impugned order.

Petition is dismissed. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

12.09.2024

Jyoti Sharma

Whether speaking/reasoned: Yes

Whether reportable: No.