



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

132

**CRM-M-2000-2025  
Decided on : 16.01.2025**

Shiv Kumar

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

**PRESENT:** Mr. Shubham Goyal, Advocate  
for the petitioner(s).

\*\*\*\*

**SANJAY VASHISTH, J. (Oral)**

1. Present petition has been filed by the petitioner (complainant) seeking setting aside of the order dated 13.11.2024, passed by learned Sub-Divisional Judicial Magistrate, Nakodar, in NACT.91.2020, vide which, application for correction in the complaint and affidavit of evidence of the complainant regarding month of payment of money to the accused, has been dismissed.

2. Application for correction dated 25.09.2024 filed before the Court below, is also annexed with present petition as Annexure P-3. Same has been perused, wherein, the petitioner (complainant) prays that the date of July, 2019 in regard to the payment of loan be allowed to be corrected as June, 2019, because due to the typographical mistake in the complaint and the affidavit, it was recorded as 'July, 2019'.

3. After examining the impugned order (Annexure P-4), this Court finds that respondent – accused, has already taken a specific defense from very inception and the attempt now made by the petitioner (complainant), if



at all allowed, would result into the prejudicing the case of the accused (respondent No.2 herein), after the defense being disclosed.

4. It is also noticed that the process of recording of the evidence has also been completed and it is almost at the fag end, when the application has been moved for correction of the dates. Not only this, at the time of hearing of the present petition, a specific query is posed to the petitioner's counsel as to what was the date mentioned in the legal notice, which was by the complainant (petitioner herein), the answer is 'July, 2019'. Therefore, allowing the prayer made in the present petition, is not going to serve any purpose to the complainant (petitioner), because, since beginning, even before filing of the complaint, the stand of the complainant (petitioner), is of making payment of loan amount to the accused (respondent No.2) is 'July, 2019' and said date is also mentioned in the legal notice.

5. With the aforementioned reasons, this Court does not find any merit in the submissions. Accordingly, present petition is dismissed.

(SANJAY VASHISTH)  
JUDGE

January 16, 2025

J.Ram

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