



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

126

CRM-M-10437-2022 (O&M)

Date of decision: 20.05.2026

SANJEEV KUMAR

.....Petitioner

VERSUS

GURADITTA SINGH AND ANOTHER

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Pawan Singh, Advocate for respondent No.1.

Mr. A.P.S. Sehgal, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

CRM-17584-2022

Application is allowed as prayed for and Annexure P-4 is taken
on record.

CRM-M-10437-2022

The present petition has been filed for seeking quashing of the
complaint bearing No. NACT-134 dated 06.07.2021 titled “Guraditta Singh
versus Sanjeev Kumar” and the summoning order dated 15.09.2021 passed
by Judicial Magistrate 1st Class, Gidderbaha, District Sri Muktsar Sahib.

2. At the stage when notice of motion was issued and proceedings had been adjourned, a contention was raised by the petitioner that the account itself was not in the name of the petitioner and that the proceedings had been wrongly initiated.

3. Pursuant to an order passed by this Court, an affidavit of Mr. Rajpal Kamboj (working as Branch Manager) has been filed wherein it has been averred that a tatkal account was generated on the request of the petitioner herein and that the Welcome Kit alongwith cheque book and Debit Card which is a pre-generated in dot and had been handed over to the customer i.e. the petitioner herein.

4. Learned Counsel appearing on behalf of the petitioner vehemently contends that the same would not in any manner establish that the petitioner had issued the cheque because it has been averred in the aforesaid affidavit that on account of the petitioner not having submitted the KYC documents, the account was not formally activated. It is submitted that it would thus be a case of misuse of a blank cheque by the complainant - respondent.

5. I have heard learned Counsel appearing on behalf of the petitioner and have gone through the documents appended alongwith the present petition.

6. The prime question which arises for consideration of this Court is as to whether the cheque in question had been drawn against an account which is in the name of the petitioner or not. On the basis of the said argument, notice of motion had been issued. The affidavit filed by the Bank establishes that not only did the account belong to the petitioner but also the aforesaid cheque book as per the serial number, had been issued to him.

Merely because the account was closed on account of ‘KYC’ documents having not been furnished does not mean that the cheque in question would not have been issued at all. The question that would thus arise is as to the circumstances in which the cheque was issued in favour of the respondent-complainant which would only be an arguable issue on fact. The same would not be gone into by this Court at this stage. Consequently, the present petition is dismissed. The petitioner shall be at liberty to take all pleas before the trial Court at an appropriate stage and in a manner known to law.

MAY 20, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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