



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

164

CRM-M-14230-2024 (O&M)
Date of decision: 24.02.2026

Jujhar Singh

...Petitioner

Versus

M/s Subhash Chand Salinder Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Namit Khurana, Advocate for the petitioner.

Mr. Sherry K. Singla, Advocate for the respondent.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed for quashing of order dated 05.02.2024 (Annexure P-4) by which application under Section 311 CrPC to produce and prove the report of handwriting expert in additional evidence, in criminal complaint No.NIA 1683/2018 titled as 'M/s Subhash Chand Salinder Kumr vs. Jujhar Singh', has been dismissed.

2. Learned counsel for the petitioner-accused submits that since there was an insertion and alteration made in return memo Ex.C2, he had filed an application under Section 311 CrPC for examining the handwriting expert, which came to be dismissed by the trial Court and thus, prays for one opportunity for the said purpose.



3. Learned counsel for the respondent, on the other hand, submits that the evidence of the accused was closed on his own statement on 23.01.2024 and for him to now turn around and say that his cheque was stolen and the same has been misused by the complainant at this belated stage is only to delay the proceedings. Thus, he prays for the dismissal of the present petition.

4. Heard learned counsel on either side.

5. It stands settled by Hon'ble the Supreme Court in a catena of judgments, including **Swapan Kumar Chatterjee vs. Central Bureau of Investigation**, (2019) 14 SCC 328, that the power under the Section 311 CrPC should be invoked by the Court only for strong and valid reasons to meet the ends of justice and exercised with great caution and circumspection.

6. The trial Court, while considering the fact that the defence taken by the accused regarding the alleged loss of the cheque and subsequent tampering is inconsistent and was not substantiated by any cogent evidence, has rightly dismissed the application under Section 311 CrPC. Notably, the plea concerning alteration of the date was raised at the fag end of the trial, for the first time in the statement under Section 313 CrPC, without any supporting material or examination of witnesses to prove the alleged forgery, without any justifiable ground explaining such delay. Moreover, subsequent thereto, his evidence was also closed on his own statement.

7. In view of the foregoing, the order passed by the trial Court does not call for any interference, it being neither perverse nor illegal and as such, the petition is dismissed, being devoid of merits.

8. The observations made hereinabove are only for the purpose of adjudication of the present petition and shall not be construed as an expression of opinion on the merits of the case.

24.02.2026

ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No