



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

138

CRM-M-47143-2021(O&M)

Date of decision: 18.05.2026

Devender Singh

...Petitioner(s)

VERSUS

Parmod

...Respondent(s)

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

Present :- Mr. Kanwar Abhay Singh, Advocate for the petitioner.

Mr. Arjun Veer Sharma, Legal aid counsel for the respondent.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for seeking quashing of the order dated 03.09.2021 passed by Judicial Magistrate First Class, Gohana, whereby an application seeking amendment of the complaint bearing COMA No.326 of 2017 of 07.07.2017 filed under Section 138 of the Negotiable Instruments Act, 1881 had been allowed.

2. Learned counsel appearing on behalf of the petitioner contends that the abovesaid complaint had been filed by the respondent against dishonour of cheque No.025434 dated 10.04.2015 amounting to Rs.5,00,000/- qua which a demand notice dated 07.05.2015 had been sent followed by complaint dated 30.05.2015. He further contends that the petitioner had been summoned by the Trial Court and after serving notice of accusation, the proceedings were fixed for recording of evidence of the complainant. However, after nearly 04 years of the filing of the complaint, an application was moved by the respondent/complainant to the effect that at the time of presentation of the complaint, it was found to be mentioned that the cheque had been presented with "State Bank of India, Branch Mahra,

Gohana, Sonapat” and it was sought to be amended as presented with “Sarva Haryana Gramin Bank, Branch Mahra, Gohana, Sonapat”.

3. Learned counsel for the petitioner further contends that the said amendment has wrongly been allowed and the same could not have been considered.

4. Learned legal aid counsel for the respondent points out that the aforesaid amendment was only a typographical error since all other particulars i.e. the account number, the cheque no. or the address of Bank etc. were all the same. It is submitted that the correction being only ministerial should not be construed as any material alteration in the complaint changing the nature and character of the complaint.

5. Since, the material particulars remain the same and the change sought, and allowed vide the impugned order is only to the effect that the name of the Bank has been allowed to be corrected from “State Bank of India” to “Sarva Haryana Gramin Bank”, I am of the opinion that the said order does not suffer from any illegality or perversity and that the allowing of such an application is clearly in the interest of justice.

6. Finding no illegality, perversity or impropriety in the order dated 03.09.2021 passed by Judicial Magistrate First Class, Gohana, the present petition is dismissed. Accordingly, the order dated 03.09.2021 is affirmed.

7. Pending application(s), if any, shall stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

18.05.2026

Sumit Gusain

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No