SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2473/2026 Amit Kumar --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Pranav Singh, learned counsel for the applicant. Mr. Nikhil Bisht, learned Brief Holder for the State of Uttarakhand. 2. The present C-528 application has been filed by the applicant seeking quashing of the entire proceedings of Criminal Case No. 3952 of 2019 (Old Case No. 1600 of 2019), Narendra Singh vs. Amit Kumar, under Section 138 of the Negotiable Instruments Act, 1881, presently pending before the Court of learned Additional Chief Judicial Magistrate, Roorkee, District Haridwar. 3. Learned counsel for the applicant submits that, as reflected on the e-Courts portal, an order dated 06.03.2025 was passed by the learned Magistrate, whereby the complaint was dismissed and the applicant, who was arrayed as an accused in the said proceedings, was discharged. In support of his submission, learned counsel has referred to the relevant extract of the order uploaded on the e-Courts portal, which is reproduced hereinbelow: *"पत्रावली पेश हुई। पुकार करायी गयी। पुकार पर परिवादी उपस्थित नहींहै और न ही उसकी ओर से पैरवी करने के लिये कोई अधिवक्ता न्यायालय केसमक्ष उपस्थित हैं। पत्रावली अभियुक्त की हाजरी हेतु नियत है। परिवादी पूर्वनियत तिथि पर भी उपस्थित नहीं था।* *इस संबंध में धारा 256 दण्ड प्रक्रिया संहिता इस आशय का प्राविधान करती है कि-* *(1)- यदि परिवाद पर समन जारी कर दिया गया है और अभियुक्त की*

हाजरी के लिये नियत दिन या उसके पश्चातवर्ती किसी दिन, जिसके लिये सुनवाई स्थगित की जाती है, परिवादी हाजिर नहीं होता है, तो मजिस्टेट इसमें इसके पूर्व किसी बात के होते हुए भी, अभियुक्त को दोषमुक्त कर देगा, जब तक कि वह किन्हीं कारणों से या किसी अन्य दिन के लिये मामला को सुनवाई हेतु स्थगित करना ठीक न समझे।"

चूंकि परिवादी उपस्थित नहीं तथा न ही उसकी ओर से पैरवी हेतु कोई उपस्थित है। ऐसे में वर्तमान मामले की कार्यवाही लम्बित रखने का कोई आधार नहीं है। अतः वर्तमान मामले की कार्यवाही धारा 256 दंड प्रक्रिया संहिता के अन्तर्गत समाप्त की जाती है। अभियुक्त को धारा 138 परकाम्य लिखत अधिनियम के अन्तर्गत दण्डनीय आरोप से दोषमुक्त किया जाता है। पत्रावली बाद आवश्यक कार्यवाही नियमानुसार अभिलेखागार प्रेषित की जाये।"

4. Learned counsel for the applicant further submits that, upon obtaining a certified copy of the order sheet dated 06.03.2025, it was found that the said order sheet merely records issuance of summons and contains no order dismissing the complaint or discharging the accused. In view of this discrepancy, this Court sought a report from the learned District Judge, Haridwar, regarding the actual status of the proceedings and the alleged order dated 06.03.2025.

5. In response, the learned District Judge submitted a report stating that although an order purporting to dismiss the complaint had been uploaded on the e-Courts portal, the said order was neither signed by the Presiding Officer nor incorporated in the order sheet maintained in the judicial file. It was further reported that the said order had inadvertently been uploaded by the concerned stenographer and that appropriate action had been taken against the said staff member in this regard.

6. From the report submitted by the learned District Judge and the material available on record, it is evident that the order purporting to dismiss the complaint was neither authenticated by

			the Presiding Officer nor formed part of the judicial record. The certified copy of the order sheet dated 06.03.2025 also does not reflect any such order and, on the contrary, records issuance of summons. 7. An order uploaded on the e-Courts portal, in the absence of authentication by the Presiding Officer and its incorporation in the judicial record, cannot, by itself, be treated as a valid judicial order. The mere uploading of such an order on the e-Courts portal does not confer upon it the status of a judicial order when the same was neither passed nor authenticated by the competent Court. 8. In view of the aforesaid facts and the report submitted by the learned District Judge, this Court finds that the order dated 06.03.2025, as reflected on the e-Courts portal, cannot be treated as a valid order dismissing the complaint or discharging the accused. Consequently, the submission advanced on behalf of the applicant, founded upon the said uploaded order, is devoid of merit. 9. Accordingly, the present C-528 application, being devoid of merit, is hereby dismissed. 10. Pending applications, if any, also stand disposed of. **(Alok Mahra, J.)** 18-11-2026 SNEHA SAXENA