

133 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:031532



CRM-M-12141-2025

Date of Decision:05.03.2025

ASHOK SOOD

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Arpan Sabharwal, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab.

SANDEEP MOUDGIL, J. (Oral)

The present petition has been filed under Section 528 BNSS for quashing of the order dated 14.01.2025 passed by Addl. CJM, Ludhiana in FIR No. 40 dated 26.03.2016 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Division No.5, District Commissionerate, Ludhiana whereby the application filed by the petitioner for comparing the signatures by the hand-writing expert has been dismissed.

Vide aforesaid order, an application seeking permission to get examined/comparison of alleged signatures of accused-petitioner on the exhibited documents especially on loan agreement, which is part of the challan on which the petitioner has alleged that the signatures are forged by someone else and he never signed the document in question, has been dismissed.

Though, on merits there is no ambiguity or illegality found in the order dated 14.01.2025 assailed before the Court, on an undertaking given by counsel for the petitioner that he will get the documents examined by the hand-writing expert and is ready to compensate for causing such delay in the trial proceedings submitting the same to be *bona fide* and not intentional.



Learned State counsel in the light of above undertaking of the petitioner has not opposed to the said concession if the Court is considerate about the same.

In the sequence of events before this Court and undertaking given by learned counsel for the petitioner, order dated 14.01.2025 is set aside and the petitioner is granted one last opportunity to examine/comparison including examination of hand-writing expert qua the signatures on the loan agreement which is part of the challan as pleaded in the undated application, Annexure P-1 along with other documents including the invoice and letter written to RTO which are alleged to be forged but, however, order shall be subject to payment of Rs.25,000/- as costs, which shall be deposited with the Punjab and Haryana High Court Bar Clerk's Association.

(SANDEEP MOUDGIL)
JUDGE

05.03.2025

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