

**ORDERS ON APPLICATION FILED UNDER
SECTION 254(1) OF Cr.P.C and under
Section 45 of Indian Evidence Act.**

This application is filed by the accused by stating that the accused has disputed his signature on Ex.P1 which is marked as per Ex.P1(a) and prays to refer for expert opinion in order to compare the signature of accused on Ex.P1, with vakalathnama and plea and prays to allow the application.

2. On the other hand complainant filed objection to the said application by stating that, the application is not maintainable and the application is filed to drag on the proceedings and to harass the complainant. On these grounds, the complainant has sought for rejection of the application.

3. Heard both side and perused the materials available on record.

4. This is the case filed under Section 200 of Cr.P.C. for the offence punishable under Section 138 of NI Act by the complainant against the accused. When the matter has been posted for defence evidence the accused has come up with this application by stating that the accused has disputed his signature on Ex.P1 and prays to appoint the expert in the above case. Now the question is whether the accused has rightly pointed out the discrepancies with respect to signature of the accused attested on Ex.P1 which is marked as Ex.P1(a). In order to same

when we look into the cross of PW1, The accused raised a question that, the cheque issued by accused to the friend of the complainant has been misused by the complainant, which put the burden on accused to prove that the complainant has misused the cheque issued by accused to one Arun Tavorr. Moreover, the Bank Manager who is examined as PW2 clearly states that the bank account mention in Ex.P1 belong to accused, and the accused is having bank account in their bank. Such being so, if there is discrepancies in signature of accused in Ex.P1, then how come the bank accepted the Ex.P1 i.e., cheque and issued endorsement as funds insufficient. Since the accused has signed in Kannada language in Ex.P5 is not only a ground to seek appointment of the expert and prima-faciely this Court has not found any ground to allow the application. Accordingly, this Court proceed to pass the following.

ORDER

Application filed by the accused under Section 254(1) of Cr.P.C., and under Section 45 of Indian Evidence Act is hereby rejected.

For further defence evidence evidence by:
15.11.2025.

Sd/-
**I ADDL. CIVIL JUDGE & JMFC.,
MUDIGERE.**