



2026:CGHC:9945

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 350 of 2026**

1 - Krutika Chhatbar S/o Shri Mohan Chhatbar, Aged About 41 Years R/o House No. 783/21, Sector-4C, Udaya Society, Tatibandh, Raipur Tehsil And District Raipur Chhattisgarh

... Petitioner**versus**

1 - Shri Balaji Agency By Proprietor-Mrs. Sumitra Sharma, W/o Mr. Pawan Sharma, By Power Of Attorney Holder,-Pawan Kumar Sharma S/o Shri Parmeshwar Lal Sharma R/o Lig 57, Opposite Aims Hospital, Near Gagan Regency, Tatibandh, Raipur Tehsil And District Raipur Chhattisgarh

... Respondent

For Petitioner : Mr. Sourabh Sonwani, Advocate.

For Respondent : None.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****26/02/2026**

Heard on admission.

- The instant petition has been filed under Section 528 of BNSS, 2023, against the order dated 30.08.2025, passed by the learned 9th A.S.J. Raipur (C.G.) in Criminal Revision No. 58/2025 (Shri Balaji Agency **vs.** Krutika Chhatbar), whereby the application for grant of permission to rectify the typing error in the complaint and affidavit filed by the respondent herein has been allowed.

2. The brief facts of the case are that Shri Balaji Agency filed a complaint under Section 138 of the NI Act against the petitioner/accused. During the trial, the complainant/respondent filed an application stating that the cheque number in the complaint and affidavit has erroneously been typed as '318305' instead of '**318205**', and therefore, he may be allowed to correct this typographical error. The trial court, after hearing the parties, rejected the complainant's application vide order dated 22.11.2024 passed in Complaint Case No. 3057/2022. Thereafter, the complainant/respondent filed a revision before the learned 9th A.S.J., Raipur (C.G.), whereby, vide impugned order dated 30.08.2025, passed in Criminal Revision No. 58/2025, the order of the trial Court dated 22.11.2024 has been set aside and the amendment application has been allowed.
3. Learned counsel for the petitioner submits that the order passed by the learned revisional Court is bad and contrary to law. There is no provision in N.I. Act to amend the statement on oath in the witness box in Court after cross-examination of the complainant, and his evidence was completed, and the case is fixed for the rest of the witnesses. He further submits that even in a complaint and statement under Section 145 of N.I. Act can be amended, but after in Court, the complainant examines as a witness in the witness box, and the defence counsel cross-examines the complainant, the statement of the complainant cannot be changed. The order passed by the learned trial Court on 22.11.2024 is a legal and lawful order, in which it is stated that only before examination in the witness box and cross-examination, amendment or correction in the complaint and affidavit under Section 145 of N.I. Act can be permitted. As such, the impugned order is liable to be set aside.

4. I have heard learned Counsel appearing for the petitioner and perused the documents annexed with the petition including the impugned order.
5. It is evident from the material available on record that the disputed cheque number is '**318205**', and the bank's written memo regarding the cheque bouncing also mentions the cheque No. '318205' and even in the legal notice sent to the accused/petitioner, the cheque number is written as '318205'. In such a situation, if due to a typographical mistake, a digit '3' has been typed instead of '2' in the cheque number, in the complaint, then there is no illegality or unlawfulness in the order passed by the Revisional Court allowing correction of that typographical error, warranting any interference by this Court.
6. Accordingly, the instant petition is hereby **dismissed** at the admission stage itself.

Sd/-

(Sanjay Kumar Jaiswal)
Judge

H.L. Sahu