

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C-528 No. 442 of 2024 <u>Hon'ble Alok Mahra, J.</u></p> <p>Ms. Ruhani Sahani, learned counsel for the applicant. (through V.C.)</p> <p>2. Mr. Gaurav Singh, learned counsel for the respondent. (through V.C.)</p> <p>3. The present criminal misc. application is filed with a prayer to quash and set-aside the order dated 30.04.2024 passed by learned Judicial Magistrate/Third Additional Civil Judge (Jr. Div.), District Haridwar in Complaint Case No. 953 of 2019 (Now Complaint Case No. 672 of 2023), Sonu Kumar Vs. Satendra Chauhan, under Section 138 of Negotiable Instruments Act as well and the entire proceeding of Complaint Case No. 953 of 2019 (Now Complaint Case No. 672 of 2023), Sonu Kumar Vs. Satendra Chauhan, pending in the court of learned 2nd Additional Civil Judge (Sr. Div.), Haridwar and also the order dated 12.08.2024 passed by learned Sessions Judge, Haridwar in Criminal Revision No. 154 of 2024.</p> <p>4. In this case, applicant accused have moved an application under Section 311 of Cr.P.C. before the court of Judicial Magistrate concerned for directing the complainant to file his bank entries for the period June, 2017 to June, 2018 so that it could be shown as to what is the status of the complainant and whether he has given any money to the applicant accused by withdrawing it from his bank account.</p> <p>5. Learned counsel for the complaint would submit that it is not the case of the complainant that after withdrawing the amount from his bank, he has paid it to the applicant accused.</p> <p>6. Learned counsel for the applicant would</p>

submit that the applicant is innocent and he has falsely been implicated in the case and there is no evidence as such against the applicant. Learned counsel for the applicant would further submit that the learned Judicial Magistrate concerned, without application of mind, has passed the order dated 30.04.2024.

7. Heard learned counsel for the applicant and perused the record.

8. Perusal of the impugned order dated 30.04.2024 reveals that the evidence collected was placed before the learned court below, which, after applying its judicial mind, has rightly rejected the application of the applicant under Section 311 and 91 of Cr.P.C.

9. The court concerned has considered & discussed all relevant aspects. Thus, the view taken by the learned Judicial Magistrate concerned cannot be faulted. This Court does not find any infirmity or illegality in the impugned order dated 30.04.2024 passed by the court of learned Judicial Magistrate/Third Additional Civil Judge (Jr. Div.), District Haridwar in Complaint Case No. 953 of 2019 (Now Complaint Case No. 672 of 2023), Sonu Kumar Vs. Satendra Chauhan, under Section 138 of Negotiable Instruments Act and also the order dated 12.08.2024 passed by learned Sessions Judge, Haridwar in Criminal Revision No. 154 of 2024. Hence, this Court does not find any reason to interfere with the impugned orders.

10. Accordingly, the criminal misc. application fails and is hereby dismissed.

(Alok Mahra J.)

06.05.2026

Ujjwal