

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16055-2014 (O&M)
Date of Decision: 29.06.2015

Madhu Gupta

...Petitioner

Versus

Rakesh Joshi

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. ***Whether Reporters of the local papers may be allowed to see the judgment?***
2. ***To be referred to the Reporters or not?***
3. ***Whether the judgment should be reported in the digest?***

Present: Mr. Yogesh Goel, Advocate
for the applicant-petitioner.

Mr. Surinder Dagar, Advocate
for the respondent.

R.P. Nagrath, J. (Oral)

The instant petition has been filed for quashing Complaint No.1179 dated 31.07.2013 under Section 138 of the Negotiable Instruments Act and the summoning order dated 18.09.2013.

Learned counsel for the petitioner submits that after return of the complaint by the learned Magistrate in view of the principle of law laid down by Hon'ble Supreme Court in ***Dashrath***

Rupsingh Rathod Vs. State of Maharashtra, 2014 (3) RCR

(Criminal) 904, fresh summoning has not been passed so far.

Learned counsel for the respondent-complainant submits that the complaint which has been presented before the Magistrate in Chandigarh, is pending.

Learned counsel for the petitioner, therefore, seeks to withdraw the instant petition with liberty to avail appropriate remedy in case fresh cause arises or summoning order is passed.

Disposed of with liberty aforesaid.

**(R.P. Nagrath)
Judge**

29.06.2015
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