

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-34696 of 2015 (O&M)
Date of decision: October 14, 2015

Paranjal Thareja

...Petitioner

Versus

Veena Rani and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Chander Pal Tiwana, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of complaint No.11 of 2014 under Section 138 of the Negotiable Instruments Act, summoning order dated 07.02.2014 and all subsequent proceedings arising out of the complaint filed by respondent Veena Rani through Special Power of Attorney as the complaint filed through Special Power of Attorney is not maintainable.

At the time of arguments, learned counsel for the petitioner only argued on one point that the complaint filed through of Power of Attorney is not maintainable and thus liable to be quashed.

I have heard learned counsel for the petitioner and have gone through the record.

At the time of arguments, learned counsel for the petitioner himself cited judgment passed by the Hon'ble Supreme Court in

A.C.Narayanan vs. State of Maharashtra and another, 2015(2)

CCC 092. In this cited judgment itself, the Hon'ble Supreme Court has held that complaint through Power of Attorney holder under Section 138 of the Negotiable Instruments Act is perfectly legal and competent.

In view of the law laid down by the Hon'ble Supreme Court in the above-cited case, it is clear that complaint under Section 138 of the Negotiable Instruments Act can be filed through Power of Attorney holder. Hence, on this ground, in no way, it can be held that complaint is not maintainable.

Therefore, finding no merit in the present petition, the same is dismissed.

October 14, 2015
Vgulati

(INDERJIT SINGH)
JUDGE