

**CRM-M-44011-2015**

**[1]**

**\*\*\***

**In the High Court of Punjab and Haryana at Chandigarh.**

**CRM-M-44011-2015**

**Date of Decision: 24.12.2015**

Rajnish Kumar and others

...Petitioners

Versus

M/s Raj Filling Station

...Respondent

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Mr. J.S. Bhandohal, Advocate,  
for the petitioners.

\*\*\*\*\*

**SABINA, J.**

Petitioner has filed this petition under Section 482 of Criminal Procedure Code, 1973 for quashing of the order dated 05.11.2015.

Learned counsel for the petitioners has submitted that appeal filed by the petitioners against the judgment/order of their conviction and sentence under Section 138 of the Negotiable Instruments Act, 1881 was listed for 05.11.2015. However, on the said date, petitioners could not appear before the Appellate Court as petitioners No.1 and 3 had got stuck in a traffic jam. When the petitioners appeared before the Appellate Court at about 11:00 a.m., the impugned order had already been passed. Petitioners are ready to surrender before the Appellate Court. Learned counsel for the petitioners has further submitted that petitioners undertake to appear before

**CRM-M-44011-2015**

**[2]**

**\*\*\***

the Appellate Court on date fixed i.e. 09.01.2016.

Accordingly, this petition is disposed of with a direction that in case petitioners surrender before the Duty Magistrate within one week from today and furnish an undertaking that they shall appear before the Appellate Court on the date fixed i.e. 09.01.2016, the execution of the warrants of arrest of the petitioners shall remain stayed till 09.01.2016.

**December 24, 2015**  
*kapil*

**(SABINA)**  
**JUDGE**