

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-13474 of 2016

Date of decision: May 13, 2016

Mahavir Agro Industries

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Anupam Bhanot, Advocate for the petitioner.

Rajan Gupta, J.(oral)

This is a petition under Section 482 Cr.P.C. seeking quashing of complainant titled as “District Manager vs. M/s Mahavir Agro Industries” pending in the court of Chief Judicial Magistrate, Amritsar.

Learned counsel for the petitioner submits that stock has already been returned to the complainant. Thus, complaint and all proceedings thereto deserve to be quashed.

A cheque of Rs.10.00 lacs issued by the petitioner was dishonoured. Thus, complainant/respondents instituted proceedings under section 138 of the Negotiable Instruments Act against Mahavir Agro Industries. After recording preliminary evidence, accused were summoned to face trial. Admittedly, trial is now at an advance stage. Even statements of the accused under section 313 Cr.P.C. have been recorded. It is inexplicable why present petition has been filed at the stage of culmination of trial seeking quashing of complaint itself. No ground for interference is made out.

Dismissed with Rs.20,000/- as costs to be remitted to Punjab State Legal Services Authority.

(RAJAN GUPTA)
JUDGE

May 13, 2016
'Rajpal'