

CRM-M No.45548 of 2016

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision : 20.12.2016

118 (4 cases)

1) C.R.M-M No.45548 of 2016

Surinder Pal Singh

..... Petitioner

versus

M/s Sethi Sales Corporation and others

..... Respondents

2) C.R.M-M No.45587 of 2016

Surinder Pal Singh

..... Petitioner

versus

M/s Sethi Sales Corporation and others

..... Respondents

3) C.R.M-M No.45595 of 2016

Surinder Pal Singh

..... Petitioner

versus

M/s Sethi Sales Corporation and another

..... Respondents

CRM-M No.45548 of 2016

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4) C.R.M-M No.45642 of 2016

Surinder Pal Singh

..... Petitioner

versus

M/s Sethi Sales Corporation and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Jaideep Verma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

These four petitions have been filed against the summoning order issued to the petitioner in four complaints under Section 138 of the Negotiable Instruments Act, 1881. All these petitions are decided by the common order.

The contention of the petitioner is that towards the amount mentioned in the cheques exact same amount was deposited in the account of the complainant by way of NEFT but the cheques were not returned and that is how these false complaints were filed.

I find in para No.6 of the complaint that the complainant has

given some explanation for the transfer of funds in his account by NEFT

from the petitioner. In the circumstances, it would not be possible for this Court to appreciate the controversy without taking on record evidence.

Resultantly, these petitions are dismissed with liberty to the petitioner to take up and establish all these pleas before the trial Court.

Learned counsel for the petitioner has further prayed for exemption from personal appearance of the petitioner.

Let him move application in this regard in the Court and the trial Court is directed to consider it sympathetically.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

December 20, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No