

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

CRM-M-2967-2017 (O&M)
Date of decision : 31.01.2017

M/S SHIVAM TILES & ANR

...Petitioner(s)

Versus

M/S SOMANY CERAMICS LTD

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Aman Bahri, Advocate
for the petitioner (s).

JITENDRA CHAUHAN, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of Complaint No.479/2015 dated 30.10.2015 (Annexure P-10) titled as 'M/s Somany Ceramics Ltd. VS. M/s Shivam Tiles' filed under Section 138 read with 141 and 142 of the Negotiable Instruments Act and the impugned summoning order dated 30.10.2015 (Annexure P-13) passed by learned Judicial Magistrate 1st Class, Bahadurgarh along with Notice of Accusation dated 21.12.2015 (Annexure P-14) and all consequential proceedings arising therefrom.

Contents that the petitioner in fact informed the respondent regarding the non-operation of the account. Despite the information, the cheque was presented, which was subsequently dishonored. The learned counsel further states that a civil suit has been preferred by the petitioner

on the same cause of action.

Heard.

Considering the fact that there is no contrary evidence that the petitioner did not sign the cheque or issue the cheque in dispute, no interference in the impugned orders is made out.

Dismissed.

31.01.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No