

CRM-M-32323 of 2015**Date of decision: 27.07.2017**

Vijay Kumar

... Petitioner

vs.

Gurinder Pal Singh

... Respondent

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

* * *

Present : Mr. Gourav Jain, Advocate
for the petitioner.

Mr. Vikas Chatrath, Advocate
for the respondent.

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ARVIND SINGH SANGWAN, J.(ORAL)

This is a petition under Section 482 Cr. P. C. with the prayer to quash the criminal complaint bearing case No.537-II dated 16.10.2013 filed by the respondent under Section 138 and 142 of Negotiable Instruments Act (Annexure P-1), pending before the Court of Sub Divisional Judicial Magistrate, Tohana.

The counsel for the respondent at the very outset has submitted that an application dated 13.05.2015 is filed before the trial Court seeking permission to allow the complainant to sign the complaint and the power of attorney/vakalatnama which are already available on the judicial files. The parties are ad idem that this application has not been decided by the trial Court and therefore, the petitioner be relegated his remedy to get this application decided before the trial Court. In view of the joint submission made by the parties, this petition is dismissed as withdrawn with liberty to

the petitioner to file fresh petition to challenge any order passed which is adverse to his rights and to raise all the pleas/defenses taken in this petition.

(ARVIND SINGH SANGWAN)
JUDGE

July 27, 2017
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>