

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

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CRM-M-20626-2018
Date of Decision: 15.05.2018

Tarun Narang

...Petitioner

V/S

Svarn Tex Prints Pvt. Ltd.

..Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Shivam Grover, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral):

Prayer in this petition is for quashing of summoning order dated 31.10.2017 (Annexure P1) vide which the petitioner has been summoned to face the trial under Section 138 of the Negotiable Instruments Act in case bearing NACT No. 5349 of 2017.

Learned counsel for the petitioner, at the very outset, submits that the petitioner will move an application for discharge before the trial Court and restrict his arguments limited to the extent that the petitioner be granted permanent exemption from personal appearance before the trial Court.

In view of the same, this petition is disposed of. The petitioner is directed to appear before the trial Court within a period of 15 days from today and the trial Court will release the petitioner on bail on furnishing bail/surety bonds.

However, liberty is granted to the petitioner to move an application for discharge alongwith all documents and trial Court will decide the application within a period of three months from the date of filing of the same.

During pendency of the complaint, personal appearance of the petitioner shall remain exempted subject to furnishing an undertaking before the trial Court that he will be represented through his counsel; will not delay/stall the proceedings of the trial; shall not dispute his identity as accused; shall have no objection if the prosecution evidence is recorded in his absence, but in the presence of his counsel; he will put in appearance as and when required by the trial Court and comply with any other condition which the trial Court may impose.

However, it will be open for the trial Court to recall the order granting exemption from personal appearance if the petitioner fails to abide by the above terms and conditions and the petitioner will appear before the trial Court on any substantive date as and when his personal appearance is required.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

15.05.2018
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Whether speaking/reasoned : Yes/No.

Whether Reportable : Yes/No