

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

120-A

CRM-M-21747-2018 (O&M)

Date of decision:23.05.2018

M/s R.H.Agro Overseas Private Ltd.

...Petitioner

Versus

M/s Panj Rattan Enterprises

.... Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr.Kamal Bahl, Advocate for the petitioner.

P.B. BAJANTHRI, J. (ORAL)

In the present petition, petitioner has sought quashing of complaint No. 270 dated 10.12.2014 (Annexure P-1) and summoning order dated 2.12.2014 (Annexure P-4) stating that respondent-complainant has not issued legal notice to the petitioner-company. Petitioner was summoned to face trial for the offence under Section 138 of Negotiable Instruments Act by the Magistrate after examination of material evidence. Petitioner has to challenge that order under the provision of Section 397 Cr.P.C. and not to invoke provision of Section 482 Cr.P.C. On this score this court cannot entertain the petition under Section 482 Cr.P.C. Moreover, petitioner has remedy before the appropriate forum. In view of these facts and circumstances, petition stands dismissed. Reserving liberty to the petitioner to approach the appropriate forum.

23.05.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No