

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2552-2018

Date of decision : 22.1.2018

Ramesh Kumar Bansal

... Petitioner

VERSUS

HDFC Bank Limited

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Swarn Tiwana, Advocate,
for the petitioner.

RAJ SHEKHAR ATTRI, J.(Oral)

This is a petition under Section 482 Cr.P.C. praying for quashing order dated 6.10.2017 passed by learned Judicial Magistrate, 1st Class, Gurugram.

A complaint was filed against the petitioner under Section 138 of Negotiable Instruments Act by respondent HDFC Bank alleging therein that the petitioner in order to discharge his legal debt, issued cheque No.000103 dated 5.4.2015 drawn on HDFC Bank Limited, Mandi Gobindgarh for a sum of ₹ 1,69,458/- from his bank account No.03421000033879. After conducting preliminary inquiry, learned Magistrate summoned the petitioner vide order dated 6.10.2017. This order has been impugned before me.

A bare perusal of the complaint as well as summoning order transpires that learned Magistrate committed no error or legal infirmity warranting interference by this Court. No case is made out to quash the order. Accordingly, the present petition is dismissed.

However, the petitioner would be at liberty to take all pleas available to him during the trial.

Learned counsel for the petitioner submits that the petitioner be allowed to appear through his counsel in the trial court.

The petitioner may move such an application before the learned trial court and if so filed, it shall be disposed of in accordance with law by the learned trial court at the earliest.

January 22, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No