

CRM-M-29645 of 2017

Date of Decision: 30.01.2018.

BIKRAMJIT SINGH

...Petitioner

Versus

SHYAM LAL GOYAL AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Anupam Singla, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. Vikrant Guleria, Advocate
for respondent No.1.

RAJ SHEKHAR ATTRI, J. (ORAL)

This petition under Section 482 Cr. P.C. for quashing the order dated 10.01.2017 amended on 07.06.2017(Annexure P-1 & P-2) passed by Ld. Additional Sessions Judge, Mohali passed in criminal revision No.21 dated 26.10.2016 dismissing the revision petition filed by the petitioner against the summoning order dated 16.02.2016 (Annexure P-4) passed by Ld. Sub Divisional Judicial Magistrate, Kharar in a complaint filed by the respondent under Section 138 of the Negotiable Instruments Act.

Learned counsel for the petitioner has submitted that it is very well stated in Para No. 6 of the impugned order dated 10.01.2017 as well as dissolution deed that cheques were given as security to the son of the complainant but learned Additional Sessions Judge, Mohali failed to discuss and consider the said facts.

In view of the matter, impugned order is set aside with a direction to learned Additional Sessions Judge to re-consider the matter

afresh and decide the revision petition at the earliest.

However, the proceedings before the learned trial Court shall remain continue but the passing of the final order by that Court shall remain stayed.

Disposed of accordingly.

(RAJ SHEKHAR ATTRI)
JUDGE

January 30, 2018

Jyoti-IV

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No