

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3545-2018 (O&M)

Date of decision : 29.1.2018

Jangi Lal Oswal

... Petitioner

VERSUS

Anil Kishore Purohit

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Mansur Ali, Advocate,
for the petitioner.

RAJ SHEKHAR ATTRI, J.(Oral)

Learned counsel for the petitioner has submitted that the cheque amount in the case in hand was only of ₹ 20,250/-. The petitioner claims that he had paid the cheque amount of ₹ 20,000/- by way of bank draft which has been encashed. However, an amount of ₹ 250/- still remains to be paid.

No ground is made out for interference by this Court.

Dismissed. However, the petitioner is at liberty to move an application in view of the law laid down by Hon'ble Supreme Court in **M/s Meters and Instruments Pvt. Ltd. and another v. Kanchan Mehta**, 2017 (3) SC 396 before the learned trial Court and the petitioner is allowed to take all the defence pleas available to him.

Learned counsel for the petitioner further submits that the company has not been arrayed, as such, the prosecution against the petitioner is bad in the eye of law as laid down by Hon'ble Supreme Court in **Aneeta Handa v. M/s Godfather Travels and Tours Pvt. Limited**; 2012

However, the petitioner is at liberty to file such an application before the learned trial court and if so, filed, the same be disposed of at the earliest.

January 29, 2018
Paritosh Kumar

(**RAJ SHEKHAR ATTRI**)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No