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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

SANJIV KUMAR SHARMA  
10/11/2018 13:32  
I attest to the accuracy and  
authenticity of this document

CRM-M-53779-2018 (O/M)  
Date of decision : 5.12.2018

Meenu Arora

..... Petitioner (s)

Versus

State of Punjab and another

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Veneet Sharma, Advocate,  
for petitioner.

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KULDIP SINGH, J. (ORAL)

Heard. The learned counsel for petitioner contends that present complaint filed under Section 138 of Negotiable Instruments Act, 1881, is misuse of process of Court. The learned counsel for petitioner has also referred to previous FIR, lodged by one Rajesh Thakur. He has also referred to order passed by lower Court in anticipatory bail and inquiry conducted by police.

At this stage, the learned counsel for petitioner contends that he wants to move an application under Section 245 Cr.P.C. for discharge before trial Court alongwith documents and requests that trial Court may be directed to decide application by passing a speaking order.

In these circumstances, petition is disposed of with liberty to petitioner to move an application under Section 245 Cr.P.C. before trial Court alongwith documents. If such an application is filed by petitioner, opposite party be given opportunity to file reply alongwith documents and thereafter, same shall be decided after passing a speaking order.

(KULDIP SINGH)  
JUDGE

5.12.2018  
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No