

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

Date of decision: 08.05.2019

1. CRM-M-2902 of 2019 (O&M)

Ashish Kanodia

..... Petitioner

Versus

Dinesh Kumar and another

..... Respondents

2. CRM-M-2117 of 2019 (O&M)

Ashish Kanodia

..... Petitioner

Versus

Dinesh Kumar and another

..... Respondents

3. CRM-M-1511 of 2019 (O&M)

Ashish Kanodia

..... Petitioner

Versus

Dinesh Kumar and another

..... Respondents

4. CRM-M-1514 of 2019 (O&M)

Ashish Kanodia

..... Petitioner

Versus

Dinesh Kumar and another

..... Respondents

5. CRM-M-2913 of 2019 (O&M)

Ashish Kanodia

..... Petitioner

Versus

Dinesh Kumar and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajay Jain, Advocate
for the petitioner (in all the petitions).

Mr. S.S. Khurana, Advocate
for respondent No.1 (in all the petitions).

ANIL KSHETARPAL, J. (ORAL)

Vide this judgment, I shall be disposing of five petitions bearing CRM-M Nos.2902, 2117, 1511, 1514, and 2913 of 2019 as all are connected.

Learned counsel for the parties are agreed that the issue in question has already been adjudicated by a Coordinate Bench of this Court in CRR No.9872 of 2018 titled as 'M/s Ginni Garments and another Vs. M/s Sethi Garments', decided on 04.04.2019. However, learned counsel for the respondent has submitted that the similar issue is pending for adjudication in Special Leave to Appeal (Criminal) No.3342/2019. Hence, he prays that the matter be kept pending.

After considering submission of learned counsel for the parties, these petitions are disposed of quashing the order directing the accused to deposit 20% of the cheque amount at the stage of trial as per the amended provisions of Section 143-A of the Negotiable Instruments Act, 1881. However, if ultimately the Supreme Court reverses the judgment of this Court or draws conclusion contrary to the judgment passed by this Court in CRR No.9872 of 2018, the same shall be binding between the parties.

In view thereof, all the petitions are disposed of.

The pending miscellaneous application, if any in all the petitions, shall stand disposed of accordingly.

08.05.2019
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No