

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

CRM-M-13545-2015 (O&M)

Date of decision : 18.11.2019

Pankaj Garg

...Petitioner

Versus

Prabhu Pankaj

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Achin Gupta, Advocate for the petitioner.

Mr. Rahul Vijay Singh Chugh, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

On 28.04.2015, while noticing the contention of learned counsel for the petitioner, following order was passed:-

“Learned counsel for petitioner inter alia contends that drawee bank of the cheque in question dated September 24, 2014, is HDFC Bank, Bathinda whereas complaint has been filed and summoning order dated December 10, 2014 has been passed by ld. Additional Chief Judicial Magistrate, Hoshiarpur (Annexure P-2) on a complaint filed by Prabhu Pankaj (complainant). He relies upon judgement of Hon'ble Supreme Court of India captioned as 'Dashrath Rupsingh Rathod vs. State of Maharashtra and another, 2014 (3) RCR (Criminal) 904 as well as “Vinay Kumar Shailendra vs. Delhi High Court Legal Services Committee and another', 2014 (4) RCR (Criminal) 641.

Notice of motion to the respondent for 21.07.2015.

*In the meanwhile, further proceedings pending before
ld. trial court shall remain stayed.”*

It is undisputed that during the pendency of the petition,
Section 142 has been substantially amended.

Keeping in view the aforesaid amendment, since the
complainant had presented cheque for encashment in the bank situated
within the territorial jurisdiction of Hoshiarpur, therefore, Magistrate has the
jurisdiction.

In view thereof, the present petition is disposed of.

18.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No