

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

129

CRM-M-21247-2019 (O & M)
Date of Decision:10.05.2019

Vikas Arora

...Petitioner

Versus

M/s Ram Ji Steels and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanjay Nagpal, Advocate
for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition to challenge the order dated 18.04.2019 passed by the Revisional Court whereby the summoning order dated 19.07.2017 passed by the trial Court in a complaint case under Section 138 of Negotiable Instruments Act, 1881 brought by the respondent stands upheld.

Learned counsel for the petitioner contends that the cheque dated 27.11.2016, the subject matter of the complaint, was presented before the Banker in February, 2017 whereas the petitioner had left the Company in December, 2016 itself. According to him, the order of summoning was passed on 19.07.2017 and the revision was carried on 09.11.2017 which has been decided only on 18.04.2019.

Learned counsel for the petitioner has fairly stated that during this period the proceedings were going on before the trial Court and the prosecution has already discharged the onus. He has further stated that the defence has also examined 4 witnesses and the case is fixed for the final arguments.

Considering the above stage of trial, which is fixed for final arguments, this Court is of the opinion that it would not be appropriate to invoke the inherent powers under Section 482 Cr.P.C. to examine the validity and correctness of the summoning order passed by the trial Court.

In view of the above, no ground is made out for invoking the inherent powers under Section 482 Cr.P.C.

Petition is dismissed.

10.05.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No