

Sr. No.205

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

**CRM-M-8480-2017(O&M)
Date of decision:18.09.2019**

Ramesh Chander and another

.....Petitioners

versus

M/s JMD Industries

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rahul Rampal, Advocate
for the petitioners.

Mr. Naresh Dilawari, Advocate
for the respondent.

Rajbir Sehrawat, J(Oral)

Present petition has been filed seeking quashing of the Criminal Complaint No.202/2016, dated 18.07.2014 titled as M/s JMD Industries versus Megaa Bakers Pvt. Ltd and others, filed under Section 138 of Negotiable Instruments Act vide which the present petitioner has been summoned.

Reply on behalf of the respondent has been filed and the same is taken on record.

After arguing for some time, learned counsel for the petitioner submits that he be permitted to withdraw the present petition with liberty to take all the legally available pleas before the Trial Court. It is further submitted that since the petitioner has to travel from a long distance to attend the proceedings, therefore, Trial Court be directed to exempt the personal appearance of the petitioner.

Learned counsel for the Complainant submits that the

complainant also does not have any objection, if the personal appearance of the petitioner is exempted by the Trial Court. However, for that purpose he would be required to move an appropriate application before the Trial Court only.

In view of the above, present petition is dismissed as withdrawn with liberty aforesaid.

However, the Trial Court is requested to consider the application of the petitioner for personal exemption, sympathetically, if the same is filed by the petitioner before the Trial Court.

18th September, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*