

CRR-3713 of 2018

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

CRR-3713 of 2018
Date of Decision: 21.02.2019

Indkus Drugs & Pharma (P) Ltd.

....Petitioner

Versus

Jyoti Remedies (P) Ltd. and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Karan Kaushal, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through instant revision challenge has been laid to order dated 16.07.2018 whereby complaint of the petitioner under Section 138 of the Negotiable Instruments Act has been dismissed by the Trial Court under Section 204(4) Cr.P.C. holding that petitioner was not willing to pay the expenses for publication of written proclamation against the respondents.

Learned counsel for the petitioner *inter alia* contends that mistake on the part of the petitioner is not intentional. One opportunity may be given to the petitioner as he is ready and willing to pay publication charges.

Having heard learned counsel for the petitioner and considering overall facts and circumstances, revision is allowed.

Impugned order dated 16.07.2018 of the Trial Court is set aside and

the petitioner is granted one opportunity to comply with order dated

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21.03.2018 of the trial Court, subject to deposit of Rs.2,000/- as costs with the District Legal Services Committee, Panipat. The Trial Court is directed to proceed further with the complaint of the petitioner, in accordance with law, by restoring the same to its original number.

February 21, 2019
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No