

CRM-M-47484-2019

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

CRM-M-47484-2019

Date of Decision:07.11.2019

Om Parkash

... Petitioner

Versus

M/s Hari Ram and Sons Commission Agent

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Aman Arora, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (Oral)

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure for quashing of complaint bearing case No.213 of 2018, titled as 'M/s Hari Ram and sons Vs. Om Parkash', under Section 138 of the Negotiable Instruments Act, pending in the Court of learned Sub Divisional Judicial Magistrate, Guhla, District Kaithal, alongwith all the consequential proceedings arising therefrom.

Learned counsel for the petitioner has drawn the attention of this Court towards the order dated 22.02.2017 (Annexure P-8), published in the Gazette of India vide which State Bank of Patiala was merged in State Bank of India, and the order dated 02.05.2018 (Annexure P-10) i.e. the sanctity of the extension of the validity of the old cheques.

It has been rightly found by the trial Court that the fact regarding acquisition of State Bank of Patiala and other subsidiary Banks of

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SBI from 01.04.2017 is not disputed. It is also not disputed that cheque books of the State Bank of Patiala and other subsidiary Bank of SBI were valid till 30.06.2018. The reason that the instrument was invalid can only be answered by the concerned bank official who had issued memo dated 21.07.2018, at the time of evidence.

Learned counsel for the petitioner points out that the petitioner has already been summoned and has already put in appearance before the trial Court.

Without going into the merits of the case, the present petition is disposed of with liberty to the petitioner to move an application before the trial Court to summon the concerned bank official regarding the aforesaid issue and have the same decided before proceeding further.

07.11.2019

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No