

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

CRM-M No. 1282 of 2019

Date of decision: - 10.01.2020

Arun

...Petitioner

Versus

Indra Vati

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sanchit Punia, Advocate for the petitioner.

Mr. Narender Bhukal, Advocate for
Mr. Rajat Mor, Advocate for the respondent.

HARNARESH SINGH GILL, J. (ORAL)

Present petition under Section 482 Cr.P.C. has been filed for quashing of the complaint bearing filing No. 13474/2018 registered with case No. 2333/2018 under Section 138 of Negotiable Instruments Act, 1881, titled as 'Indra Vati Vs. The Punia Co-op. and others' dated 30.08.2018 (Annexure P-1) and summoning order dated 10.10.2018 (Annexure P-2) alongwith all consequential proceedings arising therefrom.

It is the case in which Indra Vati-respondent has filed an complaint under Section 138 of Negotiable Instruments Act, 1881 against the petitioner in which the petitioner has summoned.

Learned counsel for the petitioner states that the petitioner is working as Ty. Auditor in Defence Accounts Department and is not member of the Society and further the cheque has been issued by Sher Singh in his personal capacity.

Learned counsel for the respondent states that the petitioner is son of Sher Singh and the respondent has paid the amount on the assurance of the petitioner and both petitioner and Sher Singh are colluded.

Since the matter is pending before the learned trial Court, the matter is relegated to the learned trial Court.

Learned counsel for the petitioner is directed to move appropriate application before the learned trial Court by raising his pleas and the learned trial Court will decide the application within 3 months being uninfluenced in any manner by the observations made by this Court.

Disposed of in the aforesaid terms.

(HARNARESH SINGH GILL)
JUDGE

10.01.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No