

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

**CRM-M-2721 of 2020 (O&M)
DATE OF DECISION : 08.10.2020**

Ajay Gupta & Anr.

...Petitioners

Versus

M/s Sushil Kumar Munish Kumar & Company

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vaibhav Narang, Advocate
For the petitioners.

Mr. Aakash Singla, Advocate
For the respondent.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. At the outset, learned counsel for the respondent, objects that petitioners are not entitled to discretionary relief under Section 482 Cr.P.C, being special jurisdiction of this Court, exercised sparingly. There is a serious concealment by the petitioners, he contends. Not only petitioners had earlier challenged the summoning order before the Sessions Court by filing a revision petition which was dismissed vide order dated 14.02.2019, but no further recourse was taken to impugn learned sessions court order. Previous revision court proceedings have not been disclosed in the petition filed before this Court.

2. He would further urge that aforesaid concealment is doubly multiplied by the fact, that subsequently, an application seeking discharge from Negotiable Instruments Act proceedings was filed by the petitioners before the Judicial Magistrate. Said application was also dismissed vide

order dated 19.02.2020. That too has also not been disclosed by the petitioner in the instant petition. Nor even the said order was challenged by the petitioners. The present petition has been filed to over-reach the orders passed by the Courts below, without challenging the same, learned counsel argues.

3. Confronted with the aforesaid objection learned counsel for the petitioner submits that he was not aware of the earlier proceedings. Be that as it may, in view of the material concealment *ibid*, deliberate or inadvertent, no ground to interfere is made out. Accordingly, the petition is dismissed. However, petitioners are at liberty to challenge the orders passed by the Courts below, in accordance with law.

October, 08, 2020
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(ARUN MONGA)
JUDGE

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