

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

CRM-M-7804 of 2020 (O&M)

Date of decision: 24.02.2020

Sikarndar Ali

...Petitioner

Versus

Ms. Hoshiarpur Traders

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. A.S. Sra, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

The petitioner/accused is seeking quashing of criminal complaint under Section 138 of the Negotiable Instruments Act titled as 'Ms. Hoshiarpur Traders Vs. M/s Gagan Wine Traders', pending before JMIC, Hoshiarpur, in which his bailable warrants of arrest have been issued. The petitioner instead of appearing in the trial Court and raising all these pleas there have rushed to this Court by filing the present petition. Although, learned counsel for the petitioner has referred to judgment titled as **Prabhu Chawla Vs. State of Rajasthan & Anr., 2016 (4) RCR (Criminal) 270**, but in circumstances of the case, I find that it shall be proper and appropriate to relegate the petitioner to the remedy of approaching the trial Court and raising all these pleas there, which can be taken into consideration by the trial Court.

Disposed of accordingly.

24.02.2020

sumit.k

**(H.S. MADAAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No