

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 23771 of 2017 (O&M)
Date of Decision: 05.2.2020

M/s Goldstar Industries and others

.....Petitioners

Versus

Gagan Parbhat Jain

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Om Pal Sharma, Advocate
for the petitioners.

Mr. Aayush Gupta, Advocate
for the respondent.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed for quashing of complaint No. COMA/6082/17 dated 16.5.2017 (Annexure P-6) under Section 138 of the Negotiable Instruments Act, 1881 and all the consequent proceedings arising therefrom including the summoning order dated 18.5.2017 (Annexure P-7).

Learned counsel for the petitioners submits that the dispute is between the father and son. Petitioners No. 2 is the father whereas petitioner No. 3 is the mother of the respondent and the business is being looked after by the respondent.

After arguing for sometime, learned counsel for the petitioners submits that in case the complainant do not press the complaint qua his mother-petitioner No. 3, he may be permitted withdraw the present petition qua petitioners No. 1 and 2 with liberty to raise all the pleas before the trial

Learned counsel for the respondent submits that the complainant will not press the complaint qua petitioner No. 3.

The present petition is dismissed as withdrawn with the direction that the respondent/complainant will not press the complaint with regard to petitioner No. 3, who is accused No. 3 in the complaint.

The petitioners No. 1 and 2 are at liberty to raise all the pleas before the trial Court by moving an application and the trial Court will decide the issue at an appropriate stage.

The petition stands disposed of in the above terms.

(HARNARESH SINGH GILL)
JUDGE

February 05, 2020
Gurpreet

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