

HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-25045-2020 (O&M)

Date of decision:28.08.2020

Surinder Kaur ...Petitioner
Versus

The State of Punjab and others ..Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kehar Singh Hissowal, Advocate, for the petitioner.

ARCHANA PURI, J.(ORAL)

The matter has been taken up through video conferencing in the light of the pandemic COVID-19 situation.

It is submitted by the learned counsel for the petitioner that respondent no.4 had misused cheque bearing No. 790925 and filled the amount of Rs.9,55,000/- in the same to seek undue benefit. It is also submitted that in this regard, representation dated 22.6.2020 (Annexure P-3) was moved before the Senior Superintendent of Police, Fatehgarh Sahib but no action has been taken thereupon.

Notice of motion.

Mr. Harbir Singh Sandhu, AAG, Punjab, accepts notice on behalf of the official respondents and submits that Balwinder Singh, respondent no.4 has filed a complaint under Section 138 of Negotiable of Instrument Act, which is pending adjudication. He further submits that the representation, referred to above, has already been decided by the police authorities and it has been filed.

Learned counsel for the petitioner submits that the petitioner had not been called at any time qua the said representation.

Considering the submissions so made by learned counsel for the petitioner as well as learned State Counsel, a direction is hereby issued to respondent no.2 to pass appropriate order after giving an opportunity of hearing to the petitioner in the light of the averments so made in the representation, if so required as the same is stated to have been decided. The petitioner is hereby directed to appear before the concerned authorities within a period of one week from today onwards.

However, these observations are circumscribed only for the purposes of disposal of the present petition and shall not be construed as expression on merits and shall also have no effect upon the civil or criminal proceedings, pending between the parties concerned.

Accordingly, the instant petition is disposed of.

28.08.2020
dinesh

(ARCHANA PURI)
JUDGE

Whether speaking / reasoned? Yes / No

Whether reportable? Yes / No