

CRM-M-46473-2019

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

CRM-M-46473-2019
Date of Decision:12.02.2020

Madhav Bedi (minor)

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Saransh Sabharwal, Advocate,
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Sanjiv Goyal, Advocate for
Mr. Rajbir Singh, Advocate,
for respondent No.2.

HARNARESH SINGH GILL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing the order dated 30.03.2019 (Annexure P-5) passed by the learned Judicial Magistrate Ist Class, Panchkula, whereby the petitioner was summoned to face trial under Section 138 of the Negotiable Instruments Act, 1881, and for quashing the complaint (Annexure P-1), titled as 'Blue Dart Express Limited Vs. Madhav Bedi Proprietor of M/s Madhav Enterprises', bearing registration No.NACT 959 of 2018, filed by respondent No.2.

Learned counsel for the petitioner contends that in the

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complaint, the accused has been referred as Madhav Bedi, proprietor M/s Madhav Enterprises, whereas he is minor. As per his birth certificate (Annexure P-6), his date of birth is 20.10.2008, whereas the cheques in question were allegedly issued on 01.06.2018.

Learned counsel for respondent No.2-complainant states that as per the agreement dated 01.04.2015, it has been shown as Madhav Enterprises and even on the cheques in question dated 01.06.2018, signatures are of Madhav Bedi and, therefore, Madhav Bedi has been arraigned as accused in the complaint.

At this stage, learned counsel for the parties agree on the point that this petition may be disposed of with liberty to the respondent-complainant to move an appropriate application before the trial Court for impleading the proper proprietor of the firm.

Disposed of accordingly.

If such an application is moved by respondent No.2-complainant before the trial Court, the same shall be decided in accordance with law.

12.02.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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