

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33349-2021

Date of Decision: 18.08.2021

Rajinder Earthmover Filling Station Pvt. Ltd. and another

....Petitioner(s)

Versus

AZZ Waste Management (Ludhiana) Ltd. and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.P. Soi, Advocate, for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Code for directing the trial Court to consider and decide the application which has been filed by the complainant on 02.02.2021 for registration of FIR under Section 174-A IPC against the PO persons who are the accused in the complaint under Section 138 of the Negotiable Instruments Act, 1881.

Learned counsel for the petitioners has submitted that the respondents-accused persons were declared PO on 12.12.2016 and 04.02.2019 and thereafter they have not appeared till date and they are still POs. He has submitted that an application was filed on 02.02.2021 for taking suitable action against them under Section 174-A IPC but the same has not been decided by the learned trial Court.

I have the learned counsel for the petitioners.

Since the prayer pertains only to the direction to the learned trial Court for considering and deciding the application filed by the petitioners vide Annexure P-3 and considering the fact that according to the learned counsel for the petitioners, respondent Nos.3 to 8 are still POs, the present petition can be disposed of without issuing notice to the respondents.

In view of the facts and circumstances of the present case the present petition is allowed. The trial Court is directed to consider the application filed by the petitioners vide Annexure P-3 and to decide the same if not decided as yet and strictly in accordance with law within a period of one month from the date of receipt of the copy of the order.

18.08.2021

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

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