

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-1404-2022 (O&M)

Date of Decision: 2.2.2022

Vaag Marketing LLP and another

....Petitioners

VERSUS

Jaap Enterprises

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Pranesh, Advocate,
for the petitioners.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of Covid-19 Pandemic.

At the outset, counsel for the petitioners submitted that he be allowed to withdraw the plea regarding quashing of summoning order dated 1.5.2019 passed by the Court of JMIC, Chandigarh in criminal complaint titled as Jaap Enterprises v. Vaag Marketing LLP and another. Permission is granted with liberty to the petitioners to take the requisite pleas taken in the present petition before the learned trial Court at the appropriate stage of the case.

The petitioners have also challenged order dated 9.11.2021 whereby on their absence, the bail bonds of the petitioners were ordered to be cancelled and they were further ordered to be summoned through non-bailable warrants of arrest.

Admittedly, the aforesaid complaint in which the petitioners

have been summoned was filed by the respondents under Section 138 of the

Negotiable Instruments Act and on account of the absence of the petitioners, they are now ordered to be summoned through non-bailable warrants of arrest.

Counsel for the petitioners submitted that absence of the petitioners in the trial Court on the date fixed was not intentional and they being residents of New Delhi, were unable to appear in the trial Court due to Covid-19 Pandemic. He further submitted that in future, the petitioners will not commit any such default in case they are provided protection at this stage.

In view of above, the present petition is hereby disposed of with direction to the petitioners to appear in the trial court on or before the next date of hearing fixed there and on their appearance, the petitioners be released on regular bail subject to the satisfaction of the said Court. The petitioners are also burdened with costs of ₹ 3000/- which they are to deposit with District Legal Services Authority, UT, Chandigarh prior to acceptance of the bail bonds by the trial Court. In case, some cash has already been deposited as security in the shape of fixed deposit, the same is to enure as security.

Impugned order dated 9.11.2021 passed by JMIC, Chandigarh stands quashed accordingly.

February 2, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No