

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.144

CRM-M-30500-2022(O&M)
Date of decision: 18.07.2022

M/S PIONEER ENGINEERS AND ORS

....Petitioners

Versus

M/S LS CABLE INDIA PVT LTD AND ANR

....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Rajesh Bansal, Advocate
for the petitioners.

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VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal procedure for quashing of Criminal Complaint No.NI/301/2018, dated 21.12.2018, under Section 138/142 of Negotiable Instrument Act, 1881, titled as M/s LS Cable India Pvt. Ltd. Vs. M/s Pioneer Engineers and others, pending in the Court of Ld. Sub Divisional Judicial Magistrate, Bawal, District Rewari (Annexure P-1) and summoning order dated 17.05.2019 (Annexure P-2) under Section 138 of Negotiable Instrument Act, 1881, with all consequential/subsequent proceedings arising thereto against the petitioners, being void and illegal, in the interest of justice.

After arguing for some time learned counsel for the petitioners seeks permission to withdraw the present petition and further prays that as the petitioners in the present case are carrying on operations in Kanpur and

the proceedings have been instituted at Rewari, they may be granted the exemption from personal appearance. The petitioners may, if so advised move an appropriate application under Section 205 Cr.P.C before the trial Court for seeking exemption from personal appearance and upon any such application being so filed by the petitioners along with the requisite affidavit, a considered decision shall be taken thereupon by the learned trial Court.

Dismissed as withdrawn with the liberty aforesaid.

Needless to mention that the petitioner shall be liberty to raise all pleas at an appropriate stage, during the course of trial to establish his defence.

18.07.2022
Amandeep

(VINOD S. BHARDWAJ)
JUDGE

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