

CRM-M-34950-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34950-2022
Reserved on:19.09.2022
Pronounced on: 22.09.2022

M/s Sach Telecom and others ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Ishita Jain, Advocate for
Mr. Namit Khurana, Advocate for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

Criminal Complaint	NACT/3525/2019 u/s 138 of Negotiable Instruments Act Instituted on: 24.09.2019
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Aggrieved by the direction of the trial court passed on an application moved under section 143-A of Negotiable Instruments Act, 1881 (NIA), to deposit 20% of the cheque amount, the accused has come up before this court.

2. The nature of order this court proposes to pass, no actual prejudice would be caused to the complainant; as such neither notice is being issued to it nor is its response required.
3. The accused has placed its assets and liabilities on record, which prima facie shows the incapacity to deposit. Given this, in the more significant interests of Justice, Equity, and Fair play, the impugned order shall remain stayed till Nov 30, 2022. In the meantime, the trial be expedited. The court is requested not to grant any adjournment to the parties, and in case the accused seeks adjournment, then the trial court shall be at liberty to proceed further by appointing a legal aid counsel for the accused Rajesh and Parveen. If any of the accused remains absent even on a single date; in that case, this order shall stand re-called automatically under section 362 read with 482 of CrPC, without any further reference to this court, and the stay on order shall also stand vacated.
4. Petitioner and the Registry to communicate the order to the concerned court. The petitioners/accused are directed to appear before the trial court on 10th October 2022

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and after that on each date.

Petition disposed in aforesaid terms. All pending applications, if any, also stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.09.2022
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Whether speaking/reasoned: **Yes**
Whether reportable: **No.**