

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38909-2022 (O&M)
Date of Decision: 19.9.2022

Sumeet Thapar and another ...Petitioners

Versus

M/s Swani Motors Services Pvt. Ltd. and others ...Respondents

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr.Anmol Puri, Advocate for the petitioners

ASHOK KUMAR VERMA, J.

CRM-31614-2022

This is an application for exemption from filing certified copies of Annexures P-1 to P-7. The application is allowed as prayed for.

CRM-M-38909-2022

Heard learned counsel for the petitioner and perused the paper-book.

The only prayer made in this petition filed under Section 482 of the Cr.P.C. before this Court is for a direction to the trial court to expedite the hearing of the case COMA 4340-2020 (Shyam Sunder and Sons Thapar HUF and another vs. M/s Swani Motors Services Pvt. Ltd. and others) filed under Section 138 of the Negotiable Instruments Act, 1881, which is fixed for hearing before the trial court on 15.10.2022.

Learned counsel for the petitioner, *inter alia*, submits that the aforesaid matter is pending before the trial court for the last about two years whereas Section 143(3) of the NI Act provides that

the trial of the case under Section 138 of the NI Act shall be tried as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint. Learned counsel further submits that the Hon'ble Supreme Court in *Suo Moto Writ Petition (Crl.) 2 of 2020* decided on 16.4.2021 has re-affirmed the mandate of the Legislature by observing that the instances have come forth where cases under Section 138 of the NI Act are pending for number of years and felt the need to create the additional courts to try complaints under Section 138 of the NI Act.

In this view of the matter, this petition is disposed of with a direction to the trial court to expedite the trial of the aforesaid case as expeditiously as possible.

(ASHOK KUMAR VERMA)
JUDGE

19.9.2022
MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No