

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:087531
CRM-M-10278-2023
Date of Decision: July 13, 2023

Hardev Singh

...Petitioner

Versus

HDFC Bank Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Aggarwal, Advocate for the petitioner.
None for the respondent.

DEEPAK GUPTA, J.(Oral)

On 27.02.2023, the following order was passed:-

“ Attention is drawn by learned counsel for the petitioner towards impugned order dated 21.10.2022 (Annexure P-4) revealing that on the day, notice of accusation was served upon the petitioner-accused, immediately order was passed directing to deposit 20% of the cheque amount, i.e. ₹1,95,000/- within 60 days. Learned counsel contends that neither any application was moved by the complainant-respondent nor any opportunity of hearing was provided to the petitioner before passing the impugned order.

Notice of motion for 13.07.2023.

In the meantime, operation of the impugned order shall remain stayed, through the further proceedings may continue.”

Today, nobody has appeared on behalf of the respondent, despite service, as reported by the Registry.

This petition is hereby disposed of by setting aside the impugned order dated 21.10.2022 with a direction to the Trial Court concerned to provide opportunity of hearing to the petitioner-accused before proceeding to direct deposit of any amount under Section 143-A of the Negotiable Instruments Act, 1881.

July 13, 2023

sarita

(DEEPAK GUPTA)
JUDGE

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