

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

(111)

**CRM-M-18129 of 2023  
DATE OF DECISION:-18.04.2023**

M/s Gaurav Electronics

...Petitioner

vs.

M/s Atwal Sunder Marketing Pvt. Ltd. &amp; Others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Harish Goyal, Advocate, for the petitioner.

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**HARKESH MANUJA, J.**

By way of present petition filed under Section 482 Cr.P.C., prayer has been made for issuance of direction to the trial Court to decide the Complaint Case No.COMA/8623/2021 titled as M/s. Gaurav Electronics Vs. M/s Atwal Sunder Marketing Pvt. Ltd., filed under Section 138 of the Negotiable Instruments Act in a time bound manner.

In the present case, on account of dishonour of cheque, the petitioner filed a complaint under Section 138 of the Negotiable Instruments Act, 1881, before the trial Court on 20.04.2021 wherein, the respondent was summoned vide order dated 08.07.2021. In response thereof, the respondent appeared before the trial Court on 07.07.2022 and was granted concession of regular bail.

Learned counsel for the petitioner submits that since the date of appearance of petitioner, no effective proceedings have been carried out before the trial Court and the matter is being adjourned for one reason or the other.

I have heard learned counsel for the petitioner and have gone through the paper book. I find that the complaint in the present case was

filed under Section 138 of the Negotiable Instruments Act, 1881 on 20.04.2021; summoning order was passed on 08.07.2021; respondent appeared on 07.07.2022 and since then the matter is pending consideration before the trial Court for the purpose of serving notice of accusation. A perusal of the records shows that a period of more than 2 years have passed since the date of filing of complaint whereas, the intent of legislature as reflected under Section 143(3) of the Negotiable Instruments Act, 1881, desires the disposal of such complaints within a period of 6 months.

In view of the aforesaid and besides even being conscious of the heavy pendency of such complaints, in order to maintain balance with the statutory obligations casted upon the Courts while dealing with such matters, the present petition is disposed of with a request to the learned trial Court to dispose of the aforementioned complaint within a period of one year from the date of receipt of certified copy of this order.

Keeping in view, the nature of proceedings, the present petitioner is being decided without issuing notice to the respondents, lest it may delay the proceedings before the trial Court.

18.04.2023  
anil

**(HARKESH MANUJA)**  
**JUDGE**

whether speaking/reasoned: Yes/No  
whether reportable: Yes/No