

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34403-2023 (O&M)
Date of decision: 31.10.2023

Rakesh Aggarwal

...Petitioner

Versus

Pee Jay Fabrics Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Gourave Bhayyia Gilhotra, Advocate and
Mr. Hitesh Verma, Advocate and
Mr. Akash Manocha, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

1. On 19.07.2023, this Court passed the following order:-

“This is a petition under Section 482 Cr.P.C. seeking quashing of complaint filed under Section 138 of Negotiable Instruments Act and the summoning order dated 12.02.2021 (Annexure P-2) passed therein.

A perusal of the complaint in question dated 12.02.2021 (Annexure P-1) reveals that the same has been filed against the partnership firm described as M/s Ramesh and Company, and three persons described as its partners. The present petitioner is not mentioned in the said complaint. Further, a perusal of the summoning order dated 12.02.2021 (Annexure P-2) would show that it is the accused in the said complaint, who were ordered to be summoned.

Learned counsel for the petitioner has not been able to show any material from the record that pursuant to the said summoning order, notice has been sent to the petitioner. In view thereof, learned counsel for the petitioner is at pains

to demonstrate any cause of action in his favour, to institute the present petition.

Faced with the above, learned counsel for the petitioner seeks some time to obtain instructions in that regard.

At request, adjourned to 31.10.2023.”

2. Today, on resumed hearing, learned counsel for the petitioner submits that there is no material as noticed in the aforesaid order to demonstrate cause of action having arisen in favour of the petitioner.
3. In view of the above, learned counsel for the petitioner prays for withdrawal of the present petition.
4. Dismissed as withdrawn.

October 31, 2023
sumit.k

(VIKAS SURI)
JUDGE

Whether speaking/reasoned :	Yes / No
Whether Reportable :	Yes / No