

CRM-M-51166-2022 (O&M)

-1-

117

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51166-2022 (O&M)
Date of Decision: 29.05.2023

Satpal

..... Petitioner

Versus

Subhash Chander

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

HARSH BUNGER J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C is for quashing the complaint filed under Section 138 of the Negotiable Instruments Act, vide Complaint Case No. HRFS103001694-2020 CIS No. NACT-575-2020 titled as “*Subhash Chander Vs. Satpal*” (Annexure P-1), summoning order dated 22.01.2021 (Annexure P-2) and all the consequential proceedings arising therefrom.

2. At the very outset, learned counsel for the petitioner prays that he may be permitted to withdraw the instant petition with liberty to avail remedies as available to the petitioner, in accordance with the law and also to raise all pleas as raised in this petition before the competent Court at the relevant time. Learned counsel for the petitioner has further made a prayer

CRM-M-51166-2022 (O&M)

-2-

that the personal appearance of the petitioner before the trial Court may be exempted.

3. Suffice it to say that the provisions regarding exemption from personal appearance is provided for under Section 205 of the Code of Criminal Procedure, 1973 and any such prayer will have to be necessarily made before the trial Court at first instance. However, as and when, any such application for personal exemption is moved by the petitioner before the trial Court, the same shall be decided at its own merits.

4. In view of the above, present petition is dismissed as withdrawn with the liberty aforesaid.

5. Pending Application(s), if any, shall stand closed.

(HARSH BUNGER)
JUDGE

29.05.2023
Himani

- | | | |
|------------------------------|---|--------|
| 1. Whether speaking/reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |