

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.112

CRM-M-60863-2022 (O&M)

Date of decision : 01.03.2023

Shri Sunit Anand

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Krishna Sharma, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

CRM-50552-2022

This application has been filed for grant of leave under Rule 3-A (i) of the Chapter 6, Part-B of the Volume-V of the High Court Rules & Order.

The applicant has handed over a *vakalatnama* signed by Sh. Ketan Antil, Advocate whose name is included in the roll of Advocates. Based thereupon, it is submitted that a local counsel has been engaged and thus, leave may be granted.

The submission is accepted.

Application is allowed. Leave sought is granted.

CRM-M-60863-2022

The petitioner seeks quashing of complaint No.1867 of 2019 filed under Section 138 of the Negotiable Instruments Act, 1881 and summoning order dated 18.01.2020 passed by the trial Court.

Learned counsel for the petitioner submits that the petitioner has taken a loan from the complainant. The said loan stands repaid and thus, the complaint and summoning order deserve to be quashed.

The submission is mis-conceived. Whether, the loan has been repaid or not, is a matter of evidence. On the said ground, the complaint and summoning order cannot be quashed.

The petition is meritless. It is, accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

01.03.2023
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes

No