

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CRM-M-353-2023
Date of Decision: 06.01.2023

M/s Adi Lakshmi Enterprises and another Petitioners
Versus
Godrej Agrovat Limited Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ankur Malik, Advocate for the petitioners.

ANOOP CHITKARA, J. (ORAL)

Seeking quashing of the complaint No. NACT No. 2085 of 2021 titled as Godrej Agrovat Limited Vs. M/s Adi Lakshmi and another filed on dated 17.02.2021 (filed under Section 138 of Negotiable Instruments Act 1881) (P-1) and summoning order dated 17.02.2021 (P-2) pending before the Court of Judicial Magistrate Ist Class, Chandigarh for 04.01.2023, the petitioners have come up before this Court.

After arguing for some time, counsel for the petitioners submits that he would be contended and satisfied if personal appearance of petitioner No.2, who is proprietor/authorized signatory of petitioner No. 1 i.e. company, is exempted in the trial.

The nature of the order this Court proposes to pass, no notice is required to be issued to the respondent because no prejudice is likely to cause to any body.

Given the fact that petitioner No. 2 is based at Andhra Pradesh and a huge time and amount is spent to attend proceeding on every date, nature of offence being a cheque bouncing case, the applicant/petitioner is permitted to file an appropriate application for exemption from personal appearance before the trial Court and in case, such application is filed, then the trial Court shall grant exemption to the petitioner from personal appearance and shall not insist him to appear except at the time of final pronouncement of the judgment and also on any other date, if the trial Court deems his presence necessary, subject to the condition that he shall not claim prejudice at any stage of the trial.

Given above, the present petition is disposed of in the above said terms. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

06.01.2023
Jyoti-II

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