

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

CRM-M-20226-2024

Date of Decision : **29.04.2024**

BINDRA

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Nipun Bhardwaj, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, prayer has been made for seeking quashing of complaint bearing No.NACT-1268/2022, dated 21.10.2022, (Annexure P-3), under Sections 138 of the Negotiable Instruments Act, 1881, and also the summoning order dated 23.03.2023 (Annexure P-4), passed by the learned trial Court concerned,

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the instant complaint has been filed as a counter-blast to the complaint dated 24.08.2022 (Annexure P-1), made by the son of the petitioner, and upon coming to know about the pendency of this complaint against the complainant, on the very next day, he presented the cheque with his banker, i.e. State Bank of India.

3. The present issue which is raised by learned counsel for the petitioner, is purely a disputed question of facts, and the other issues, as raised through the instant petition, require appreciation, that too after adduction of evidence by both the parties concerned. Therefore, this Court while exercising its powers under Section 482 Cr.P.C., cannot appreciate the said disputed question of facts.

4. Consequently, this Court refrains itself to interfere in the instant matter. The instant petition is **dismissed**, however, with liberty to

raise all such pleas, which has been raised before this Court, before the learned trial Court concerned, at an appropriate stage.

April 29, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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