

2024:PHHC:066755



112 (2 Cases)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(1) CRM-M No. 23565 of 2024 (O&M)
Date of Decision: 13.05.2024

Virender Kumar Petitioner

Versus

Youngers Dream World Production and another Respondents

AND

(2) CRM-M No. 23762 of 2024 (O&M)

Priyanka Petitioner

Versus

Youngers Dream World Production and another Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Karan Singh, Advocate,
for the petitioner(s)-complainant(s) (in both cases).

HARKESH MANUJA, J. (ORAL)

This order shall dispose off the present two petitions, as the same are arising out of the common complaint(s).

[2] In petition bearing CRM-M-23565-2024 filed under Section 482 Cr.P.C., the petitioner seeks issuance of directions to the trial Court to adjudicate the complaint bearing CIS No. NACT/622/2021, titled “*Virender Kumar Versus Youngers Dream World Production etc.*” (Annexure P-1) filed under Section 138 of the Negotiable Instruments Act, 1881 (for short “NI Act”) in a time bound manner.

[3] In another petition bearing CRM-M-23762-2024 filed under Section 482 Cr.P.C., the petitioner seeks issuance of directions to the trial Court to adjudicate the complaint bearing CIS No. NACT/620/2021, titled “*Priyanka Versus Youngers Dream World Production etc.*” (Annexure P-1) filed under Section 138 of the NI Act in a time bound manner.

[4] In CRM-M-23565-2024, after dishonouring of three cheques bearing Nos. 000237, 000313 & 000314, all dated 16.03.2021 and in CRM-M-23762-2024, after dishonouring of three cheques bearing Nos. 00307, 00308 & 00309, all dated 16.03.2021, the petitioner(s) filed the aforementioned complaint(s), wherein the respondents were summoned under Section 138 of the NI Act vide order dated 24.09.2021 passed by the learned JMIC, SAS Nagar (Mohali). Initially, the respondent-accused was declared as proclaimed person. Later, he surrendered himself to the jurisdiction of the Court concerned. A perusal of the zimni orders shows that at least 7-8 adjournments were sought by the respondents, merely for the purpose of cross-examining the petitioner-complainant, thus, all possible efforts were made by the respondents, so as to delay the proceedings in the complaint.

[5] As per statutory provisions under Section 143(3) of the NI Act, every trial has to be conducted as expeditiously as possible and an attempt needs to be made to conclude the trial within six months. For reference, Section 143 (3) of the NI Act is re-capitulated hereunder:-

“Every trial under this section shall be conducted as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint.”

[6] Considering the aforesaid, the trial Court is requested to expedite the proceedings arising out of the aforesaid complaint(s) in terms of statutory mandate laid down under Section 143(3) of the NI Act, and conclude the proceedings preferably within a period of four months.

[7] **Disposed off** accordingly.

May 13, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No