

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38332-2020 (O&M)
Date of Decision : 12.02.2024

Mrs. Ashwini Udaya AnchanPetitioner

VERSUS

State of Haryana and anotherRespondents

CRM-M-5692-2021 (O&M)
.....Petitioner

Mrs. Ashwini Udaya Anchan

VERSUS

State of Haryana and anotherRespondents

CRM-M-44150-2018 (O&M)

Anchans Shippings @ Logistics Pvt.Ltd. & Anr.Petitioners

VERSUS

State of Haryana and anotherRespondents

CRM-M-6917-2020 (O&M)

Monika Jugal Kishore BiyaniPetitioner

VERSUS

State of Haryana and anotherRespondents

CRM-M-31203-2021 (O&M)

Monika Jugal Kishor BiyaniPetitioner

VERSUS

State of Haryana and anotherRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Karan Singla, Advocate,
for the petitioners.

Mr. Bhupender Singh, DAG, Haryana
for respondent no.1.

Ms. Kiran Bala Jain, Advocate
for respondent no.2-Finance Company.

KULDEEP TIWARI. J.(Oral)

1. The instant petition, as cast under Section 482 of the Cr.P.C., proffers the hereinafter extracted relief, as craved by the petitioner, inasmuch as, quashing of the complaints bearing No.8371, dated 31.12.2015, 1412 of 2018 dated 18.07.2018, 49557 dated 09.10.2019, 9778 of 2018 dated 10.05.2018 and 49549 of 2019 dated 09.10.2019, filed under Sections 138/141/142 of the Negotiable Instruments Act, 1881, which are pending before the learned trial Courts concerned at Gurugram.
2. Learned counsel for the petitioners has placed reliance upon number of documents, i.e. tripartite agreement, statement of accounts, and other documents, to submit that the cheque amounts in dispute, have already been deposited with the complainant-Finance Company. Therefore, the complaint itself has been rendered infructuous.
3. Be that as it may be, this Court under Section 482 Cr.P.C. cannot appreciate the said evidence, so produced before this Court, which are in fact required to be produced by the petitioners at the time of evidence before the learned trial Court concerned, and specifically when these documents are not the admitted documents by the concerned party.
4. In view of number of disputed questions of facts as raised by learned counsel for the petitioners, this Court is not inclined to interfere, and quash the instant complaints. Consequently, the instant petitions are

ordered to be **dismissed**. However, with liberty to raise all the pleas/issues raised through the instant petitions, before the learned trial Court concerned, at an appropriate stage.

5. A photocopy of this order be placed on the files of the connected cases.

All pending application(s), if any, also stands disposed of.

February 12, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No