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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39003 of 2024 (O&M)
Date of Decision: 12.08.2024

Devender Chauhan

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kamal Chaudhary, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

ANOOP CHITKARA, J.

Complaint No.	NACT/120 /22 under Section 138 of Negotiable Instrument Act
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Seeking quashing of complaint mentioned above along with all consequential proceedings arising therefrom, petitioner has come up before this Court by filing the present petition under Section 482 CrPC.

2.
- Counsel for the petitioner has drawn attention of this Court towards notification G.S.R. 153(E) issued by Ministry of Financial Services (Annexure P2) as per which two Banks namely Oriental Bank of Commerce and United Bank of India were merged in Punjab National Bank where Punjab National Bank is a banking company registered under Companies Act. Counsel for the petitioner further submits that the present cheque was given by Oriental Bank of Commerce and there was only limited window within which the cheque could have been presented because of the merging.
3.
- Considering the objective of mergers and amalgamation of the Companies and also the fact that even other two banks were also limited companies within the ambit of amalgamation and Mergers of Companies under the Companies Act, it shall be permissible for the petitioner to raise this point before the trial Court at the stage of notice

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of acquisition if not already issued.

4. Without commenting on the case's merits, and in the facts and circumstances peculiar to this case, and also for the reasons mentioned in the petition, the petitioner is permitted to raise all such points whatever raised in this petition before the trial Court and the said Court shall answer each and every point so raised by him.

5. Given above, the present petition is disposed of, in aforesaid terms. All pending applications, if any, stand disposed. Liberty reserved to the petitioner to file fresh petition if need so arises.

(ANOOP CHITKARA)
JUDGE

12.08.2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.