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327

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.53513 of 2021(O&M)
Date of Decision: 16.12.2024

Gurmeet Singh

... Petitioner

Versus

M/s. Taranjit Singh and Co.

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Varun Katyal, Advocate
for the petitioner.

Mr. Yogesh Goel, Advocate
for the complainant.

ANOOP CHITKARA, J.

Complaint	No. NACT-127 of 2019 under Section 138 of the Negotiable Instruments Act.
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Seeking quashing of impugned order dated 19.03.2019 vide which learned SDJM, Khanna has taken cognizance on complaint case cited above, the petitioner had come up before this Court under Section 482 Cr.P.C., 1973.

2. Counsel for the complainant opposes the present petition on the ground that because no stay was granted by this Court, as such, the trial Court has now reached the stage of defence evidence and it will be too late for this Court to intervene.

3. Although the right of the accused eclipses when he is not at fault because the matter is pending before the Court with a question that this Court does not want to delve into. However, counsel for the petitioner submits that in the entirety of facts and circumstances, he would be contented and satisfied if he is permitted to raise his plea by either appearing as a witness under section 353 BNSS, 2023 (under section 315 Cr.P.C., 1973) or by making all these submissions during the course of arguments and he be permitted to also hand over the written arguments.

4. On this, counsel for the complainant submits that he has no objection to the relief sought for.

5. Given above the present petition is disposed of. Petitioner is permitted to prove his case either by appearing as a witness under section 353 BNSS, 2023 (under section

2024:PHHC:168248



CRM-M-53513-2021

315 Cr.P.C., 1973) or by making all these submissions during the course of arguments before the trial Court concerned. Petitioner as well as respondent(s) are permitted to hand over written arguments. It is clarified that the parties shall not seek any adjournment. Pending applications, if any, also stand disposed of.

(ANOOP CHITKARA)
JUDGE

16.12.2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.