



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

118

CRM-M-55487-2024
CRM-M-55066-2024
CRM-M-55068-2024
Date of Decision: 29.11.2024

Gagandeep Singh Swani

....Petitioner

Versus

Yes Bank Ltd.

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Manish Jain, Advocate
Mr. Siddhant Jain, Advocate and
Mr. Manan Jain, Advocate
for the petitioner.

ANOOP CHITKARA, J.

This order shall dispose of three petition as mentioned above. For the sake of brevity, facts have been taken from **CRM-M-55487-2024** titled as **Gagandeep Singh Swani vs. Yes Bank Ltd.**

2. Seeking quashing of summoning order dated 12.04.2024 in COMA#26920/2019- "Yes Bank Ltd. vs. Swani Motors Services Pvt. Ltd. & others", whereby summons have been issued only to the Directors and not the company, petitioner has come up before this Court by filing the present petition under Section 528 BNSS 2023.

2. On 11.11.2024, this Court had passed the following order:-

"Counsel for the petitioner submits that case(s) of the petitioner are covered by the judgment dated 28.10.2024 passed by this Court in CRM-M-53864-2024, as facts of both cases are similar.

Perusal of the order dated 18.09.2023 clearly reflects that all the accused were summoned including the company. Petitioner to explain this aspect on the next date.

List on 29.11.2024.

Photocopy of this order be placed on the files of other connected cases."

3. Petitioner’s counsel has drawn attention of this Court to last paragraph of the impugned order dated 12.04.2024, which reads as follows:-

*“Accordingly, after allowing the application u/s 311 CrPC for leading additional evidence vide order dated 14.08.2023 and 12.04.2024 passed by this Court, **all the accused i.e. accused no.2 and accused no.3 being Authorized signatories and Directors of accused no.1** are ordered to be summoned to face trial for the offence under Section 138 of the Negotiable Instruments Act, on filing of PF, copy of complaint for 03.06.2024. Summons be sent through RD as well as through ordinary process. Dasti be taken, if desired. List of witnesses be also filed forthwith and positively within 7 days, failing which complainant cannot seek any assistance from the Court.”*

4. Petitioner’s counsel submits that words mentioned in bold letters ie. **all the accused i.e. accused no.2 and accused no.3 being Authorized signatories and Directors of accused no.1**, clearly shows that only these three were summoned, whereas it is incorrect reading of the order because it was an explanation offered by the concerned Judge and clearly mentioned the words **“all the accused”**.

5. At this stage, counsel for the petitioner seeks permission to withdraw the present petitions with liberty to file a fresh petition, if need arises.

6. Given above, petitions are disposed of as having been withdrawn, with liberty as prayed for. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.11.2024
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Whether speaking/reasoned	Yes
Whether reportable?	No