

2025:PHHC:151983



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

288

CRM-M-2920-2025

Date of decision: 04.11.2025

RAKESH BHIKHALAL SHAH AND ORS PETITIONER(S)

VERSUS

UMESH CHADHA ...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Nitish Kumar, Advocate for
Mr. J.S. Saneta, Advocate
for the petitioner(s).

JASJIT SINGH BEDI, J. (Oral)

On 28.01.2025, the following was passed:-

“Counsel for the petitioners inter alia submits that at the relevant time when cheque in question dated 29.03.2023 was issued, the petitioners were not directors of accused no.1 M/s Nava Health Care Private Limited. The petitioners were later on inducted as directors of the aforesaid company in the month of September 2023, as is clear from Annexure P-5. Further, the petitioners were not incharge of and were not responsible to the aforesaid company for the conduct of its business. It is further submitted that petitioners are not signatory to the cheque in dispute and further the said cheque was not issued from the bank account of the petitioners. In the given circumstances, the petitioners cannot be vicariously held liable under Section 141 NI Act.

Notice of motion.

Mr. Ashish Bansal, Advocate accepts notice on behalf of the respondent and has filed power of attorney and inter alia submits that even at the time of issuances of cheque in question, the petitioners were directors of M/s



Nava Health Care Private Limited and that vide Annexure P-5, there was only change in their designation. He prays for time to file detailed reply and further submits that respondent is ready and willing to settled his dispute in an amicable manner with the petitioners and other accused persons.

Counsel for the petitioners prays for time to seek necessary instructions in this regard.

Needful be done by the next date of hearing.

Now be listed on 21.03.2025.

In case, the petitioners appears before the trial Court within next 15 days then they are directed to be released on interim bail by the said Court to its on satisfaction till the next date fixed in the present petition.”

2. A request has been made by the learned counsel for the petitioners for an adjournment.

3. On being questioned, the learned counsel for the petitioners submits that he does not know as to whether the aforementioned order has been complied with. It appears that an adjournment is being sought as the petitioners have not appeared before the Court.

4. In view of the above, the present petition stands dismissed.

5. All the pending miscellaneous applications, if any, stand disposed of.

04.11.2025

Kusum

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No