



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

CRM-M-5153-2025

Decided on : 14.07.2025

Manglesh Singh

... Petitioner(s)

Versus

Manoj Kumar

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. A.S. Gulati, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. In the instant petition, on 29.04.2025, following order was passed:-

“1. Present petition has been filed without challenging the complaint and summoning order, having been issued against the petitioner u/s 138 of the Negotiable Instruments Act, 1881 (in short, ‘NI Act’).

2. Counsel for the petitioner submits that before examining the submissions, he wishes to appear before the summoning Court, if he is protected from arrest till the time of his appearance, in pursuance to the summoning order dated 16.01.2024 (Annexure P-3).

3. List on 14.07.2025.

4. Considering the submission of the petitioner’s counsel, it is observed that the operation of the NBW, if any, issued against the petitioner, shall remain stayed, subject to the appearance of the petitioner before the Court below within a period of two weeks from today.”

2. Learned counsel for the petitioner submits that during the pendency of the present petition and in pursuance to the direction passed by this Court, petitioner has appeared before the Court concerned, where the



proceedings u/s 138 of the Negotiable Instruments Act, 1881 (in short, 'NI Act') are going on, therefore, the very purpose of issuance of non-bailable warrants of arrest has been served and thus, same are now inoperative/unexecutable.

3. Continuing his submissions, learned counsel submits that in fact summoning order has also been challenged before this Court through instant petition.

4. Petitioner has not challenged the summoning order before the Revisional Court i.e. Court of Sessions, at the first instance and has directly approached this Court by way of present petition.

5. In view of the above, present petition is **disposed of**, by observing that in case, petitioner choose to file a revision petition before Court of Sessions within a period of four weeks from today, same would be decided on merits by such Revisional Court without adhering to the delay part, if any, after examining the complete record, as per law, within a period of next three months, by providing adequate opportunity to all the concerned parties.

(SANJAY VASHISTH)
JUDGE

July 14, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No