



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

1)

CRM-M-9555-2022
Decided on : 09.12.2025

BELA BANSAL AND OTHERS

. . . Petitioner(s)

Versus

SHREE HARI SPINTEX LTD.

. . . Respondent(s)

2)

CRM-M-9634-2022

BELA BANSAL AND OTHERS

. . . Petitioner(s)

Versus

SHREE HARI SPINTEX LTD.

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Akhilesh Vyas, Advocate
for the petitioner(s) (in both cases).

Mr. Namit Gautam, Advocate
for the respondent(s) (in both cases).

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-9555-2022 and CRM-M-9634-2022, as in both the cases parties are the same and proceedings have emanated out of similar allegations under Section 138 of the Negotiable Instruments Act, 1881 (for brevity, 'NI Act'), and the prayer made therein is also similar.

2. **CRM-M-9555-2022** has been filed under Section 482 Cr.P.C. (Section 528 of BNSS, 2023) for quashing of complaint bearing No. COMA/207/2022, titled as "*Shree Hari Spintex Ltd. v. Mayfair Fabrics Limited*" (date of institution 04.08.2020) under Section 138 of the NI Act, pending before the learned JMIC, Talwandi Sabo (Annexure P-1). Besides,

prayer has also been made for setting aside the summoning order dated 02.12.2020 (Annexure P-2A), as well as order dated 03.01.2022 (Annexure P-6 & P-7) passed by the learned JMIC, Talwandi Sabo, in the aforesaid complaint case.

Similarly, **CRM-M-9634-2022** has been filed under Section 482 Cr.P.C. (Section 528 of BNSS, 2023) for quashing of complaint bearing No. COMA/208/2022, titled as “*Shree Hari Spintex Ltd. v. Mayfair Fabrics Limited*” (date of institution 04.08.2020) under Section 138 of the NI Act, pending before the learned JMIC, Talwandi Sabo (Annexure P-1). Besides, prayer has also been made for setting aside the summoning order dated 02.12.2020 (Annexure P-2A), as well as order dated 03.01.2022 (Annexure P-6 & P-7) passed by the learned JMIC, Talwandi Sabo, in the aforesaid complaint case.

3. Learned counsel appearing on behalf of the respondent-complainant submits that the instant petitions were instituted in February 2022 and, there being no stay of proceedings before the trial Court, the trial has reached almost at its final stage and trial in both the cases is now fixed for defence evidence as well as for final arguments. Therefore, whatever submissions are intended to be addressed before this Court, can now be very well addressed before the learned trial Court itself. Accordingly, the petitions deserve to be disposed of.

4. On being apprised of the advanced stage of trial, I refrain from going into the factual matrix or expressing any opinion on merits. The submissions sought to be raised herein can appropriately be raised before the learned trial Court for its consideration at the first instance, along with the evidence already led by the respective parties.

5. In view of the above, present petitions are disposed of.

It is also expected that the learned trial Court shall decide the trial expeditiously, including the issue of maintainability of complaint, if any found strictly involved.

It is, however, made clear that nothing observed here-above shall be construed to be an expression of opinion on the merits of the case and the learned trial Court shall decide the matter on the basis of the evidence available on record.

Pending misc. application(s), if any, also stand(s) disposed of.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

December 09, 2025
J.Ram

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