



141

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

CRM-M-10863-2025 (O&M)

Date of decision : 25.02.2025

Crystal Wine, through its
authorized signatory Baljinder Kaur and others

.....Petitioners

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kushagra Mahajan, Advocate for the petitioners.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 (for short 'BNSS'), for issuance of directions to learned Additional Sessions Judge, Amritsar (for short 'learned Revisional Court') for early disposal of Criminal Revision No.133 of 2024, titled as "Crystal Wine Versus Kamal Arora", challenging the order vide which application under Section 311 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.)/348 of BNSS filed by petitioners having been declined vide order dated 19.09.2024 passed in Criminal Complaint No.NACT-1425 of 2019 titled "Kamal Arora Versus Crystal Wines through its authorized signatory and others"; further praying for staying the proceedings in Criminal Complaint No.NACT-1425 of 2019 till pendency of revision.



2. Contends, *inter alia*, that complainant/respondent No.2 filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 (for short 'N.I. Act').

2.1 Further contends that during the pendency of proceedings before learned trial Court, the matter was compromised and in view of the compromise, petitioners also paid Rs.2,50,000/- as part payment; suffered statement on 02.03.2023 that they do not want to cross examine the complainant.

2.2 Also contends that respondent No.2 resiled from the compromise; whereas petitioners were ready and willing to honour the same.

2.3 Again contends that thereafter, petitioners moved application under Section 311 Cr.P.C./348 BNSS for recalling complainant/respondent No.2 for his cross-examination; however, learned trial Court dismissed the said application.

2.4 Yet again contends that aggrieved against the said order, petitioners filed a revision petition which is pending consideration before learned Revisional Court for arguments since 18.10.2024.

2.5. Further contends that in the meanwhile, complainant/respondent No.2 filed CRM-M No.8735 of 2025 before this Court for seeking directions for expeditious disposal of the complaint, which is now pending for 04.03.2025.

2.6 Still further contends that learned trial Court is proceeding with the trial on day-to-day basis and matter is now fixed for recording statements of petitioners under Section 313 Cr.P.C.



2.7 Lastly contended that in the circumstances, it is imperative that petitioners be granted a fair opportunity to cross-examine the complainant and learned Revisional Court may be directed to dispose off the criminal revision expeditiously.

3. Notice of motion.

4. Ms. Manjot Kaur, learned Assistant Advocate General, Punjab, accepts notice on behalf of respondent No.1-State; whereas Ms. Ravisha Mahajan, Advocate, has caused appearance and filed memo of appearance on behalf of respondent No.2. Both of them have opposed to prayer made.

5. Heard learned counsel for the parties and perused the paper-book.

6. This Court is not inclined to issue any mandate for expeditious disposal; but in view of the peculiar circumstances of the case, present petition is disposed off with a request to learned Revisional Court not to grant unwarranted adjournments to either of the parties.

7. It is clarified that above observations be not construed as an expression of opinion on merits of the case, in any manner.

Pending application(s), if any, shall also stand disposed off.

25.02.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :
Whether Reportable :

Yes	No
Yes	No