



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-29051-2023 (O&M)

Date of decision: 30.10.2025

M/s Kissan Petro Oil Private Limited and another ...Petitioner(s)

VERSUS

M/s Chem Fine ...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rajinder Sharma, Advocate for the petitioner(s).

Mr. Arun Kumar, Advocate for

Mr. Keshav Pratap Singh, Advocate for the respondent(s).

VINOD S. BHARDWAJ, J. (Oral)

1. Present petition has been filed challenging the complaint bearing No. NACT/6595 registered on 04.04.2022 pending in the Court of Judicial Magistrate 1st Class, Ambala and summoning order dated 13.05.2022 passed in the abovesaid complaint, under Section 138 of the Negotiable Instruments Act, 1881.

2. Counsel for the petitioners vehemently contends that the respondent-complainant had filed the aforesaid complaint under Section 138 of the Negotiable Instruments Act, 1881 on the ground that both the parties had business dealings with each other in terms of a Job Work agreement dated 01.08.2019. The complainant claimed to have provided financial help to the petitioners (without any proof in the file) and in order to repay the amount, the petitioner(s) issued 3 cheque(s) bearing No.240074 dated 30.11.2021 amounting Rs.50,00,000/-; No.240075 dated 30.12.2021



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amounting Rs.50,00,000/-; and No.240076 dated 30.11.2022 amounting Rs.50,00,000/- all drawn at Syndicate Bank. Despite the merger of Syndicate Bank to Canara Bank on 01.04.2020, the cheque(s) was returned with the remark "BANK MERGED". The complaint under Section 138 of the Negotiable Instruments Act, 1881 was later filed wherein the petitioner was summoned. The instant petition had been filed challenging the complaint as well as the order of summoning.

3. Counsel for the respondent(s) is not in a position to dispute that with respect to the proceedings arising out of the other cheque(s) in complaint No.NACT/7082 of 2022, the petitioner(s) had preferred CRM-M-16576-2025 titled as 'M/s. Kissan Petro Oil Pvt. Ltd. and another Vs. M/s. Chem Fine' before this Court. He is not in a position to dispute that vide order dated 07.04.2025, the said petition based on identical grounds of challenge as are claimed here, has already been dismissed.

4. As the issue raised in the present petition had already been considered and decided by a Coordinate Bench of this Court in CRM-M-16576-2025 titled as 'M/s. Kissan Petro Oil Pvt. Ltd. and another Vs. M/s. Chem Fine', the present petition also deserves dismissal for the reason(s) as assigned therein.

5. The present petition is accordingly dismissed.

(VINOD S. BHARDWAJ)
JUDGE

30.10.2025

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No