



CRM-M-25127-2025

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

CRM-M-25127-2025

Date of Decision: 13.05.2025

M/s Durga Rice Mills

..... Petitioner

Versus

Gurcharan Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Varsha Sharma, Advocate for
Mr. Lalit Singla, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 16.02.2024 (Annexure P-7) passed by learned Judicial Magistrate First Class, Fazilka in a complaint under Section 138 of the Negotiable Instruments Act, 1881 bearing No.NACT/513/2022 dated 01.10.2022 titled as Gurcharan Singh vs. M/s Durga Rice Mills, and all the subsequent proceedings arising therefrom.

2. It has been submitted by learned counsel for the petitioner that M/s Durga Rice Mills was prosecuted in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881 and during the pendency of the same, authorized partner of the firm, namely, Robin Batra through whom the petitioner-firm was prosecuted, was declared proclaimed person vide impugned order dated 16.02.2024. She submits that Robin Batra, authorized partner of the firm had already approached this Court by way of filing CRM-M-25788-2025 and the impugned order dated 16.02.2024 had already been set aside vide order dated 12.05.2025 granting liberty to the petitioner to appear before the trial Court subject to payment of costs of Rs.10,000/-. She



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submits that now this is the second petition filed by the petitioner-firm contending that the impugned order should be quashed qua the firm as well, whereas, the firm was prosecuted through its authorized partner Robin Batra, against whom the impugned order has already been set aside by this Court vide order dated 12.05.2025.

3. After hearing learned counsel for the petitioner and perusing the record, this Court finds that the present petition is not maintainable. The firm, namely, M/s Durga Rice Mills is being represented by its authorized partner Robin Batra and the order already passed qua Robin Batra would be applicable for the petitioner-firm as well. If, Robin Batra, the authorized partner of M/s Durga Rice Mills, appears before the trial Court in pursuance to the order already passed by this Court on 12.05.2025, the trial Court would proceed with the trial in accordance with law.

4. The petition stands disposed of.

(RAJESH BHARDWAJ)
JUDGE

13.05.2025

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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No