

275 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-670-2018 (O&M)
Date of Decision: 21.01.2025

DINESH KUMAR GUPTA

...Petitioner

V/S

MAGHAV GUPTA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

HARPREET SINGH BRAR J. (Oral)

This revision petition has been filed against the order dated 20.11.2017 passed by learned Additional Sessions Judge, Kapurthala, whereby summoning order dated 25.04.2016 passed by learned Judicial Magistrate Ist Class, Kapurthala has been set aside and complaint filed by the petitioner under Section 138 of Negotiable Instruments Act has been dismissed.

Learned counsel for the petitioner submits that the connected matter bearing no. CRM-M-6992-2018, between the parties has been decided by the Co-ordinate Bench of this Court and the controversy involved in the present case is identical and he relies upon the judgment dated 27.04.2022 passed in CRM-M-6992-2018 titled as ***Maghav Gupta Vs. Vidhu Gupta*** and he confines his prayer to the extent that impugned order be set aside and the case be remanded back to the learned Revisional Court below to decide it afresh and pass appropriate order in the light of the judgment dated 27.04.2022 passed in CRM-M-6992-2018.

Prayer is allowed.

On the last date of hearing i.e. on 19.11.2024, Co-ordinate Bench of this Court has fixed the case for 21.01.2025 after interacting with the counsel for the parties so that the matter is not adjourned further. There is no representation on behalf of the respondent.

Impugned order dated 20.11.2017 is set aside and the matter is remanded back to the Revisional Court below to decide the issue afresh in the light of the judgment dated 27.04.2022 passed by this Court in CRM-M-6992-2018 titled as *Maghav Gupta Vs. Vidhu Gupta*.

Both the parties are directed to appear before the learned Additional Sessions Judge, Kapurthala within a period of 04 weeks.

Disposed of in aforesaid terms.

(HARPREET SINGH BRAR)
JUDGE

21.01.2025
Ajay Goswami

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