



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-66981-2025
Decided on : 04.12.2025

M/S NOVA NEW ERA EXPORTS PVT. LTD. . . . Petitioner(s)

Versus

M/S V-CUBE CHEMICALS PVT. LTD. . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Akshat Kumar, Advocate (through V.C.),
Mr. Yogesh Bansal, Advocate and
Mr. Sarthak Jain, Advocate, for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Prayer in the present petition, filed under Section 528 of BNSS, 2023 (earlier Section 482 Cr.P.C.), is for quashing of the proceedings in case NI/188/2025, titled as “*M/S V-CUBE CHEMICALS PVT. LTD. & ANR. v. M/S NOVA NEW ERA EXPORTS PVT. LTD. & ANR.*” under Sections 138/141 & 142 of the Negotiable Instruments Act, 1881 (for brevity, ‘NI Act’), pending before the learned JMIC, Rewari. Besides this, prayer has also been made for staying further proceedings in the aforementioned case as well as operation of notice order dated 22.01.2025 (P-2) and the cognizance & summoning order dated 12.06.2025 (P-3), passed by the learned JMIC, Rewari.

2. While arguing the petition, learned counsel refers to the ledger entries (Ex.C8) appended with the petition, and submits that at the time of presentation of the cheque, the balance reflected was Rs.16,32,914/-, whereas the cheque amount is Rs.16,57,914/-. Therefore, the presentation of such cheque cannot be deemed to be in respect of a legally enforceable



liability.

3. This Court is of the view that wherever evidence is already available on record, the same must first be examined and appreciated by the appropriate Court, which is either the Revisional Court or the Appellate Court, as the case may be.

4. In the instant case, the summoning order is assailable before the Revisional Court at the first instance, i.e., the Court of Sessions. Therefore, if the petitioner chooses to file a revision petition before the Court of Sessions within a period of two weeks from today, the same shall be decided within a period of six weeks thereafter, in accordance with law.

Petition stands **disposed of** accordingly.

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

(SANJAY VASHISTH)
JUDGE

December 04, 2025

J.Ram

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