



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

133 **CRM-M-31762-2017 (O&M)**

Pamwi Tissues Limited ... Petitioner

VERSUS

Anil Kumar ... Respondent

133-II **CRM-M-31829-2017 (O&M)**

Pamwi Tissues Limited ... Petitioner

VERSUS

Anil Kumar ... Respondent

133-III **CRM-M-31836-2017 (O&M)**

Pamwi Tissues Limited ... Petitioner

VERSUS

Anil Kumar ... Respondent

Date of Decision:- 21.04.2026

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Ashim Aggarwal, Advocate for the petitioner(s).
(in all cases)

Ms. Renu Advocate for
Mr. Simranjeet Singh Sarwara, Advocate,
for the respondent.



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(2)

Mr. Vivek Aggarwal, Advocate, Amicus Curiae.

SUBHAS MEHLA, J. (Oral)

1. This order shall disposed of above mentioned three petitions filed under Section 482 of Code of Criminal Procedure, 1973, for quashing of order(s) dated 03.08.2016 passed in Criminal Misc. Nos.37,38,39/RT/2015/30.04.2011 respectively arising out of complaint Nos.105, 106 and 104 respectively dated 09.06.2004 by learned Judicial Magistrate Ist Class, Rajpura (Annexure P-1) along with all consequential proceedings.

2. Learned counsel for the petitioner(s) contended that petitioner company was never summoned in the complaint filed under Section 138 of NI Act and only accused No.2 and 3 being officials of company were summoned who were declared proclaimed offender, but subsequently, property of petitioner company was attached under Section 83 of Cr.P.C. Learned counsel further submitted that such attachment of property of company is not good as per law inasmuch as only the property of persons absconding could be attached in order to enforce their presence. Objection filed under Section 84 of Cr.P.C. by the petitioner qua such attachment has been erroneously, dismissed by learned trial Court. He further submitted that a Co-ordinate Bench of this Court vide order dated 11.05.2017 (Annexure P-11) had allowed similar petition filed by petitioner against similar order, in which such kind of attachment is held to be wholly unjust. Learned counsel



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further submitted that the present petitions be disposed of in terms of order dated 11.05.2017 passed in CRM-M-31413-2016 by Coordinate Bench of this Court.

- 3. Heard.
- 4. *Prima facie*, this Court finds merit in the contention of learned counsel for the petitioner(s). However, taking into consideration of the fact that proceedings under Negotiable Instruments Act, 1881 against the petitioner company are pending; present petitions are allowed subject to furnishing of an undertaking on affidavit filed by petitioner that in case, petitioner company be held guilty in future in proceedings pending under NI Act, it would be liable to pay all the liability towards complainant.
- 5. Keeping in view the quantum of amount, parties are also directed to explore the chances of an amicable settlement and trial Court is also directed to send the matter for mediation if the parties agree for the same.
- 6. Disposed of.
- 7. A copy of this order be placed on the file of each connected case.

21.04.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No