



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33238-2014

Date of decision :11.03.2026

LIBERTY SHOES LTD

... Petitioner

Versus

M/S DEV DEVA MARKETING & ASSOCIATES & OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. V.K. Sachdeva, Advocate with
Mr. Pulkit Sachdeva, Advocate
for the petitioner.

Mr. Siddharth Yadav, Advocate
for the respondents.

(THROUGH VIDEO CONFERENCING)

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 of Cr.P.C. is for quashing of the impugned order dated 21.08.2014 (Annexure P-1) passed by the JMIC, Karnal whereby the Criminal Complaint No.280/2014 dated 28.02.2014 (Annexure P-2) filed by the petitioner U/s 138 of NI Act has been returned to the petitioner for filing before the Court of competent jurisdiction.

2. The learned counsel for the petitioner/complainant contends that the instant complaints were dismissed with the directions that the said complaints were not maintainable at Karnal and were to be filed at Muzaffarpur (Bihar) in view of the judgment in **Dashrath Rupsingh Rathod Vs. State of Maharashtra & another [Crl. Appeal No.2287 of 2009 (SC)]**. However, there has been an amendment in Section 142 of

the Negotiable Instruments Act and the complaint can now be filed in the jurisdictional area of the bank where the cheque has been presented. Therefore, the impugned order is liable to be quashed in view of the judgments in **Bridgestone India Pvt. Ltd. Versus Inderpal Singh, 2016(1) RCR (Civil), 320** and **Paramvir Singh Mor Versus Professional Placements Pvt. Ltd. & another, CRM-M-39975-2016, decided on 19.07.2022.**

3. The learned counsel for the respondent has not disputed the legal position.

4. I have heard the learned counsel for the parties.

5. In view of the fact that there has been an amendment in Section 142 of the Negotiable Instruments Act and the said amendment is to be treated with retrospective effect in view of the judgments in **Bridgestone India Pvt. Ltd.**(supra) **Paramvir Singh Mor** (supra) the complaint is maintainable at the place where the cheque is presented for clearance.

6. Keeping in view the aforesaid facts, the impugned order dated 21.08.2014 (Annexure P-1) passed by the JMIC, Karnal stands quashed.

7. The petitioner is at liberty to file a fresh complaint on the same cause of action within a four weeks from today. If the same done, the Court concerned shall not non-suit the petitioner on account of delay.

(JASJIT SINGH BEDI)
JUDGE

11.03.2026
JITESH

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