

2026:PHHC:027070



CRM-M-42824-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(155-2)

Date of decision: 19.02.2026

(1) CRM-M-42824-2021 (O & M)

Buta Singh Bairagi

.... Petitioner

V/s

M/s Dharam Paul Ranjit Kumar

...Respondent

(2) CRM-M-48706-2021 (O & M)

Parkash Kaur

.... Petitioner

V/s

M/s Dharam Paul Ranjit Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Saurabh Kapoor, Advocate,
for the petitioner(s) with
Mr. Buta Singh Bairagi, petitioner in person
(in CRM-M-42824-2021).

Mr. Akhil Kashyap, Advocate,
for the respondent in both the petitions.

JASJIT SINGH BEDI, J. (Oral)

This order shall dispose of two criminal miscellaneous petitions
i.e. CRM-M-42824-2021 and CRM-M-48706-2021 as they arising out of
the same complaint.

2. The prayer in the above-mentioned petitions is for quashing of
criminal complaint i.e. COMA/339/2019 dated 15.10.22019 titled as 'M/s

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Dharam Paul versus Jatinder Singh etc.” under Section 138 of the Negotiable Instruments Act, 1881 pending in the Court of the Judicial Magistrate Ist Class, Jagraon District Ludhiana (Annexure P-1) and the summoning order dated 16.12.2019 (Annexure P-3 in CRM-M-42824-2021 and Annexure P-2 in CRM-M-48706-2021) qua the petitioners.

3. The learned counsel for the petitioners contend that as per the contents of the complaint, the cheques in question had been issued from a joint account of Jatinder Singh, Buta Singh Bairagi (petitioner in CRM-M-42824-2021) and Parkash Kaur (petitioner in CRM-M-48706-2021). However, the signatory to the said cheques is Jatinder Singh alone. Therefore, the liability under Section 138 of the Negotiable Instruments Act would be of Jatinder Singh alone and not of the petitioners with whom Jatinder Singh holds a joint account. He further submits that Jatinder Singh is already facing Trial.

4. The learned counsel for the complainant-respondent has not disputed the factual position or the legal situation that only a signatory to the cheque can be held liable unless the complaint has been instituted against a Company where even a non-signatory who happens to be a Director can be held vicariously liable.

5. In view of the contentions of learned counsel for both the parties, the present petitions are allowed. The complaint (Annexure P-1) and the summoning order dated 16.12.2019 (Annexure P-3 in CRM-M-42824-2021 and Annexure P-2 in CRM-M-48706-2021) stand quashed qua the

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petitioners, namely, Buta Singh Bairagi and Parkash Kaur alone. The Trial shall go on against Signatory-Jatinder Singh.

6. The pending application(s), if any, shall stand disposed of accordingly.

7. A copy of this order be placed on the file of the connected petitions bearing No. CRM-M-48706-2021 titled as ‘ Parkash Kaur Versus M/s Dharam Paul Ranjit Kumar’.

February 19, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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