

**CRM-M-29772-2025****1****130****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****CRM-M-29772-2025**

Date of decision: 28.05.2025

**BH LOGISTICS THROUGH ITS PROPRIETOR HARI OM**

.... Petitioner

Versus

**HDFC BANK LTD**

.... Respondent

**CORAM: HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Mr. Ketan Antil, Advocate, for the petitioner.

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**H.S.GREWAL, J. (ORAL)**

1. The instant petition has been filed under Section 528 of BNSS, 2023 for quashing of orders dated 29.04.2025 (Annexure P-2) passed by Judicial Magistrate Ist Class, Panipat in case titled as 'HDFC Bank Ltd. Vs. B.H. Logistics through its proprietor Hari Om' having case No. NACT/1680/2020 dated 24.11.2020 whereby right of the petitioner to cross examine the respondent-complainant has been closed.

2. Learned counsel for the petitioner submits that the petitioner is facing trial under Section 138 of the Negotiable Instruments Act. He further submits that the counsel appearing on behalf of the petitioner in the trial Court could not cross examine the respondent-complainant on some dates. Further on 29.04.2025 an application seeking exemption of the petitioner was filed which was allowed, however, learned counsel for the petitioner failed to cross examine the complainant and right of defence for cross examination of complainant was



closed. Learned counsel for the petitioner prays that one opportunity be granted to the petitioner to cross-examine the complainant.

3. After going through the facts of the case as well as considering the fact that the complainant needs to be cross examined by the accused-petitioner in order to rebut the case of the complainant, this Court deems it appropriate to decide this case without issuing notice to respondent No.2. Keeping in view the facts and circumstances of the case and limited prayer made by the counsel for the petitioner, the order dated 29.04.2025 is set aside and the petitioner is granted one final opportunity to cross-examine the complainant on the date so fixed by the trial Court subject to payment of Rs.10,000/- as costs to be paid to the complainant by the petitioner. However, no further adjournment shall be granted to the petitioner for the purpose of cross-examination of the complainant.

4. Accordingly, the petition stands allowed.

**(H.S.GREWAL))**  
**JUDGE**

**28.05.2025**

*Sonia Puri*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No