



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-24769-2025
Decided on : 13.05.2025**

Chouhan Satvinder Singh Sisodia . . . Petitioner(s)

Versus

State of Punjab and others . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Savita, Advocate and
Mr. SSS Sisodia, Advocate
for the petitioner.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 528 of BNSS, for seeking quashing of Criminal Complaint No.NACT No.104/2023, dated 18.09.2023, u/s 138 & 142 of Negotiable Instruments Act, 1881 (in short, 'NI Act') (Annexure P-1) and quashing of summoning order dated 16.12.2023 (Annexure P-3), passed by Ld. JMIC, Baghapurana (Moga), in case titled as, "Basant Singh v. Chouhan Satvinder Singh Sisodia", and also quashing of order dated 27.03.2025 (Annexure P-13), vide which, discharge application u/s 258 Cr.P.C. (u/s 281 of BNSS, 2023) has also been dismissed.

2. It is noticed that earlier petition filed by the petitioner before this Court, i.e., CRM-M-2871-2024, vide order dated 25.01.2024 (P-10), passed by the Coordinate Bench of this Court, was dismissed as withdrawn, by observing as under:-

" Today, at the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition with liberty to raise all the pleas, as have been raised herein, before the trial Court at appropriate stage.

In view of the aforesaid submission, the petition is dismissed as withdraw with liberty as prayed for."



3. Counsel for the petitioner contends that thereupon, application for discharge filed by the petitioner, has also been dismissed vide order dated 27.03.2025 (P-13). Therefore, petitioner is again before this Court by challenging the criminal complaint (P-1), summoning order dated 16.12.2023 (P-3) and order dated 27.03.2025 (P-13), vide which, application for discharge was dismissed by the learned trial Court.

4. On the previous date of hearing, i.e., 09.05.2025, following order was passed:-

“1. It is noticed that through instant petition, petitioner has sought quashing of Criminal Complaint No.NACT No.104/2023, dated 18.09.2023, u/s 138/142 of Negotiable Instruments Act, 1881 (in short, ‘NI Act’) (Annexure P-1), along with summoning order dated 16.12.2023 (Annexure P-3), passed by learned JMIC, Baghapurana (Moga), and has also challenged the order dated 27.03.2025 (Annexure P-13), vide which, discharge application filed by the petitioner, has been dismissed.

2. Admittedly, at the first instance, revisional jurisdiction, which is available there before the Court of Sessions, has not been availed. However, on request of counsel for the petitioner, adjourned to 13.05.2025.”

5. After some arguments, counsel for the petitioner admits that petitioner has not approached the Revisional Court, i.e., Court of Sessions, by challenging the criminal complaint (P-1), summoning order dated 16.12.2023 (P-3) and order dated 27.03.2025 (P-13), at the first instance and has directly approached this Court by way of present petition.

Therefore, counsel for the petitioner prays for withdrawal of present petition with liberty to take recourse to the remedies as are available to him, under the law.

6. Dismissed as withdrawn. It is, however, observed that in case, petitioner chooses to file a revision petition before Court of Sessions within a period of four weeks from today, same would be decided on merits by such Revisional Court without adhering to the delay part, if any, after examining the



complete record, as per law, within a period of next three months, by providing adequate opportunity to all the concerned parties.

(SANJAY VASHISTH)
JUDGE

May 13, 2025

J.Ram

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