



2026:CGHC:3082



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 323 of 2023**

1 - Global Interiors Partnership Firm R/o M. K. Planet, Ring Road No. 01, New Rajendra Nagar Raipur, Tehsil And District- Raipur, Chhattisgarh

2 - Rishiraj Ranglani S/o Shri P. M. Ranglani Aged About 41 Years Partner In Global Interiors R/o M. K. Planet, Ring Road No. 01, New Rajendra Nagar Raipur, Tehsil And District- Raipur, Chhattisgarh

3 - Saumya Ranglani W/o Shri Rishiraj Ranglani Aged About 41 Years Partner In Global Interiors R/o M. K. Planet, Ring Road No. 01, New Rajendra Nagar Raipur, Tehsil And District- Raipur, District : Raipur, Chhattisgarh

--- Petitioners**versus**

Pushpak Patel 'proprietor Sitaram Sales' S/o Shri Purushottam Bhai Patel Aged About 37 Years R/o Sitaram Compound, New Timber Market, Fafadih, Raipur, District : Raipur, Chhattisgarh.

--- Respondent**Along with****CRMP No. 1322 of 2023**

1 - Global Interiors, Partnership Firm R/o M.K. Planet, Ring Road No.01, New Rajendra Nagar, Raipur, Tehsil Raipur, District : Raipur, Chhattisgarh

2 - Rishiraj Ranglani S/o Shri P.M. Ranglani Aged About 41 Years Partner In Global Interiors, R/o M.K. Planet, Ring Road No.01, New Rajendra Nagar, Raipur, Tehsil Raipur, District : Raipur, Chhattisgarh

3 - Saumya Ranglani W/o Shri Rishiraj Ranglani Aged About 41 Years Partner In Global Interiors, R/o M.K. Planet, Ring Road No.01, New Rajendra Nagar, Raipur, Tehsil Raipur, District : Raipur, Chhattisgarh

---Petitioners**Versus**

Sitaram Sales Proprietor Pushpak Patel, Aged About 39 Years, S/o Shri Purushottam Bhai Patel, R/o Sitaram Compound, New Timber Market, Fafadih, Raipur, Tehsil Raipur, District : Raipur, Chhattisgarh

--- Respondent



Along with
CRMP No. 322 of 2023

1 - Global Interiors Partnership Firm, R/o M.K.Planet, Ring No.01, New Rajendra Nagar, Raipur, Tehsil And District Raipur Chhattisgarh

2 - Rishiraj Ranglani W/o Shri Rishiraj Ranglani Aged About 41 Years R/o M.K.Planet, Ring Road No.01, New Rajendra Nagar, Raipur, Tehsil And District Raipur Chhattisgarh

3 - Saumya Ranglani W/o Shri Rishiraj Ranglani, Partner In Global Interiors Aged About 41 Years R/o M.K.Planet, Ring Road No. 01, New Rajendra Nagar, Raipur, Tehsil And District Raipur Chhattisgarh

---**Petitioners**

Versus

Pushpak Patel S/o Purushottam Bhai Patel Aged About 37 Years Proprietor Sitaram Sales, R/o Sitaram Compound, New Timber Market, Fafadih, Raipur District Raipur, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Mayank Thakur, Advocate.
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For Respondents	:	Mr. Pragalbha Sharma, Advocate.
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Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

19.01.2026

1. Heard Mr. Mayank Thakur, learned counsel appearing for the petitioners. Also heard Mr. Pragalbha Sharma, learned counsel appearing for the respondents.
2. The present petition has been filed by the petitioners under Section 482 Cr.P.C. being aggrieved with the orders dated 10.11.2022 and 10.11.2022 passed by learned 1st Additional Sessions Judge, District – Raipur (C.G.) and order dated 21.02.2023 passed by learned Additional Sessions Judge, District – Raipur (C.G.) in Criminal Revision Nos. 415/2022, 414/2022 and 391/2022, respectively, arising out of orders dated



13.12.2019, 13.12.2019 and 01.10.2019 passed by learned Judicial Magistrate First Class, Raipur (C.G.) in Criminal Case Nos. 8403/2019, 6503/2019, and 8404/2019, respectively, whereby offence under Section 138 of NI Act was registered and cognizance was taken by the learned trial Court.

3. The prosecution case in brief is that on 01.10.2019, the complainant/respondent filed a complaint case under section 138 of N.I Act against the accused/petitioners registered as case no. is 8403/2019, 6503/2019, and 8404/2019 before learned trial Court and alleged in the complaint that the accused No. 1 is a partnership firm and the accused No. 2 and 3 are its partners, further due to amicable business relationship while dealing the material of lamination and interior, the accused persons are liable to pay an amount of Rs.3,66,350/- for which Four cheques bearing No. 018785, 018786, 018789 and 17444 of the Bank of Baroda, Branch – Choubey Colony, Raipur (C.G.) of Rs. 50,000/- were issued by the accused for discharging the obligation to repay the loan amount and the rest of the amount Rs.1,66,350/- was assured to be paid on October, 2019.
4. Out of the said four cheques given by the petitioners, one cheque No.018785 dated 08.06.2019 was presented in the bank in question, which was dishonored and returned with the note of insufficient funds on 29.07.2019. Similarly, the rest of the cheques got dishonoured one after another. Subsequently, demand/legal



notices were sent to the accused/petitioners No.1, 2 and 3 on 27.08.2019, respectively. Thereafter, the complaint cases were filed before the learned trial Court against the accused/petitioners registered as case No. is 8403/2019, 6503/2019, and 8404/2019.

5. In the complaint cases vide orders dated 13.12.2019, 13.12.2019 and 01.10.2019, the learned trial Court took cognizance of the offence punishable under Section 138 of N.I. Act against the petitioners/accused and issued notices. Further, being aggrieved by the orders passed by learned trial court, the accused/petitioners filed criminal revisions before the learned revisional Court bearing Criminal Revision Nos. 415/2022, 414/2022 and 391/2022. The learned revisional Court arbitrarily vide its orders dated 10.11.2022, 10.11.2022 and 21.02.2023 rejected the Criminal revisions filed by the accused persons/petitioners by affirming the order of the learned trial Court as well as the reliance placed by the complainant party. Hence, this petition.
6. Learned counsel for the petitioner submitted that the provision contained in Section 138(b) of NI Act clearly purports that payee or the holder in due course of the cheque, as the case may be, makes a demand for the payment of the said amount of money by giving a notice; in writing, to the drawer of the cheque, within thirty days of the receipt of information by him from the bank regarding the return of the cheque as unpaid it is clear. In the



present case the notice to accused No.1 was issued after the lapse of 30 days and therefore the ingredients to attract offence under Section 138 of NI Act was not fulfilled, therefore the complaint is not maintainable and deserves to be set aside. It is further submitted that the learned trial Court failed to appreciate that the alleged cheque was not signed by the petitioner No.3 – Saumya Ranglani, Moreover she has no role to play in the said transaction despite she has been fastened in the criminal complaint just to harass the petitioners especially petitioner No.3. In the complaint as well no specific averments has been made against the petitioner No.3, therefore the cognizance took against petitioner No.3 and other petitioner as well deserves to be set aside.

7. Learned counsel appearing for the respondents submits that the petitioner/accused No.1 is a partnership firm, and petitioner/accused Nos. 2 and 3 are its partners, who are responsible for and in charge of the day-to-day affairs of petitioner/accused No.1, and they are also responsible for the dishonourment of the cheques in question. Hence, the instant petitions are being devoid of merits and is liable to be dismissed.
8. I have heard learned counsel for the parties and considered the rival submissions made herein and gone through the record with utmost circumspection.
9. From the perusal of the records and submissions raised by the



counsel for the petitioner, from a conjoint reading of the complaint cases, and the documents placed on record, it clearly emerges that petitioner No.3 - Saumya Ranglani, was neither the signatory authority of the cheques in question, nor is she having any specific role in the said transactions. The cheques in question were not issued, signed, or delivered by her, nor did she exercise any control over the financial or commercial affairs of the firm in relation to the transaction in dispute. There is not even a whisper of any specific role, overt act, or participation attributed to petitioner No.3 in the entire course of dealings between the parties. Thus, the present case appears to be a fit case for interference by this Court for exercising the inherent power under Section 482 of the CrPC. The orders dated 10.11.2022 and 10.11.2022 passed by learned 1st ASJ, District – Raipur (C.G.) and order dated 21.02.2023 passed by learned ASJ, District – Raipur (C.G.) in Criminal Revision Nos. 415/2022, 414/2022 and 391/2022, respectively, arising out of orders dated 13.12.2019, 13.12.2019 and 01.10.2019 passed by learned JMFC, Raipur (C.G.) in Criminal Case Nos. 8403/2019, 6503/2019, and 8404/2019, and all consequential proceedings, so far as it relates to the **petitioner No.3** – Saumya Ranglani, are hereby quashed.

- 10.** Insofar as Petitioners Nos. 1 and 2 are concerned, it stands admitted and is borne out from the record that they are the signatory authorities to the cheques in question and were, at the relevant point of time, in charge of and responsible for the



conduct of the business of the firm, including the transactions which culminated in the issuance and subsequent dishonour of the said cheques. In such circumstances, this Court finds no substance or any good ground in the submissions advanced on their behalf. Thus, it is clear that the learned trial Court, after due application of judicial mind, has rightly taken cognizance against petitioners Nos. 1 and 2 for the offence punishable under Section 138 of the NI Act. The said order of cognizance has also been duly examined and affirmed by the learned revisional Court by passing the impugned orders, and there is no perversity, procedural impropriety, illegality, or any jurisdictional error found, warranting interference by this Court with the well-reasoned and concurrent findings recorded against Petitioners Nos. 1 and 2. Therefore, the prayer for quashment of the impugned orders of the revisional Court as well as trial Court, so far as it relates to **petitioner Nos. 1 and 2**, is hereby rejected.

11. Resultantly, these petitions are **partly allowed**.
12. Office is directed to send a copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice