



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

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CRM-M-20899-2026
Decided on : 13.05.2026

Arvind Aggarwal

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sumit S. Bairagi, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Petitioner has filed the present petition under Section 528 of the BNSS, 2023, seeking quashing of complaint under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act') (Annexure P-1), summoning order dated 06.03.2020 (Annexure P-2), whereby, he has been summoned for commission of offence under Section 138 of the NI Act, and order dated 21.01.2026 passed by learned Additional Sessions Judge, Faridabad (Annexure P-4) (wrongly mentioned as Annexure P-3 in the head-note and prayer clause of the present petition), vide which the revision petition filed by the petitioner was dismissed solely on the ground of limitation.

Besides above, prayer has also been made for staying the proceedings in complaint case No. NACT/7826/2019 titled "*Rohit Aggarwal v. Arvind Aggarwal*", pending before the learned trial Court, during the pendency of the present petition.

2. Pursuant to filing of the complaint by respondent No.2-Rohit Aggarwal, learned trial Court summoned the petitioner vide order dated



06.03.2020 (Annexure P-2). Thereafter, petitioner filed a criminal revision petition on 01.07.2022, before learned Additional Sessions Judge, Faridabad, with a delay of 30 days. However, said criminal revision was also dismissed vide impugned order dated 21.01.2026 (Annexure P-4) solely on the ground of delay, despite the matter having remained pending for about three years and six months, before the revisional Court.

Dismissal of the revision petition, which essentially invoked the revisional jurisdiction of the Court to examine the legality and propriety of proceedings pending before or decided by a subordinate Court, merely on account of delay of 30 days, particularly in summons case, reflects an unduly technical and strict approach.

Moreover, revisional Court could not have overlooked its own failure to decide the application for condonation of delay for more than three and a half years, and thereafter, dismiss the revision petition without assigning any substantial reasons in the impugned order.

3. In view of aforesaid observations, this Court deems it appropriate to direct the revisional Court to reconsider the revision petition on merits and decide the same within a period of three months from the date of appearance of the parties, after examining the record of the learned trial Court.

The delay of 30 days in filing the revision petition is deemed to have been condoned and no further finding is required to be recorded on the issue of limitation.

4. Accordingly, petitioner is directed to appear before the revisional Court on or before **25.05.2026**, whereupon notice shall also be



issued to respondent No.2-complainant.

Since the question as to whether a *prima facie* case is made out or not is required to be examined by the revisional Court on the basis of the record, this Court does not find any justification to further delay the proceedings by seeking the presence of respondent No.2-complainant, before this Court.

Further, keeping in view the aforesaid facts and circumstances, this Court deems it appropriate to impose compensatory costs of Rs.10,000/- upon the petitioner, which shall be paid to respondent No.2-complainant at the first instance upon his appearance before the revisional Court.

5. With the aforementioned observations and terms, **instant petition is hereby disposed of.**

Pending misc. application(s), if any, shall also stand disposed of.

(SANJAY VASHISTH)
JUDGE

May 13, 2026

J.Ram

Whether speaking/reasoned: ☒ Yes/~~No~~

Whether Reportable: ☒ Yes/~~No~~