



2026:PHHC:038102



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CRM-M-46255-2025

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

207-1

CRM-M-46255-2025

Reserved on:-11.03.2026

Pronounced on:-12.03.2026

Uploaded on:-

Whether only operative part of the judgment is

Pronounced or the full judgment is pronounced:

operative part/full judgment

RAHUL SOOD

...Petitioner

Versus

STATE OF HARYANA AND ANR.

....Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Saransh Sabharwal, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J.

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of Criminal Complaint No. COMA/86/2017 dated 15.04.2017 titled "*M/s Mahalaxmi Trading Company vs Amira Pure Foods and others*", instituted on 15.04.2017, and the impugned summoning order dated 13.07.2017 (Annexure P-2) passed by the Court of learned Sub-Divisional Judicial Magistrate, Gohana whereby the present petitioner along with other co-accused has been summoned for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, as amended by the Negotiable



Instruments (Amendment and Miscellaneous Provisions) Act, 2002, along with all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner contends that the petitioner is a practising Advocate in the field of commercial law and was brought on the Board of the accused Company only to solicit legal advice. It is submitted that whatever amount was paid to the petitioner was only towards professional fees and he was not a salaried Director of the Company. It is further contended that the petitioner was neither in charge of nor responsible for the day-to-day affairs of the Company and the cheque in question was also not issued by him.

3. Learned counsel further submits that the petitioner was initially inducted as a Director but he had already resigned from the said position on 30.09.2016. It is argued that the cheques in question were issued thereafter on 23.12.2016, 20.01.2017, 10.02.2017 and 17.03.2017 and therefore the petitioner cannot be held liable in the complaint instituted by the complainant nor could he have been summoned in the said complaint. He further argued that the case of the petitioner is squarely covered by the order dated 01.04.2025 passed by the Coordinate Bench of this Court in a bunch of petitions titled "*Rahul Sood vs State of Haryana and another and connected matters*", wherein a large number of petitions arising out of the same set of allegations were taken up together and disposed of by a common order. It is submitted that all those petitions involved the same accused, identical allegations and similar questions of law. It is further contended that the present petition also forms part of the same set of matters concerning the same accused and the same transactions and, therefore, the impugned



summoning order deserves to be quashed on the same grounds in view of the aforesaid judgment.

4. Notice of motion in this case was issued to respondent No.2–complainant. However, despite service, none has appeared on behalf of respondent No.2 to contest the present petition.

5. I have heard learned counsel for the petitioner and perused the record. It is not disputed that the present petition arises out of the same set of allegations which were subject matter of consideration before the Coordinate Bench of this Court in *Rahul Sood vs State of Haryana and another and connected matters, decided on 01.04.2025*, wherein the complaints, summoning orders and consequential proceedings were quashed qua the petitioner.

6. Since the parties, the accused, the allegations and the legal issues involved in the present petition are identical to those considered in the aforesaid bunch of petitions, the present petition is also liable to be allowed in terms of the said order. Consequently, the impugned summoning order and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

7. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.

8. All pending applications, if any, also stand disposed of.

12.03.2026

Anu

(MANDEEP PANNU)
JUDGE

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