

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 3047/2008

D.P.MOHTA

..... Petitioner
Through Mr. Sidharth Luthra, Sr. Advocate
With Mr. Satyanarayan and Mr. Madhav
Khurana, Advocates

versus

STATE & ANR.

..... Respondent
Through Mr. Janendra Lal, Advocate

CORAM:
HON'BLE MISS JUSTICE REKHA SHARMA

ORDER
17.09.2008

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Admittedly, the petitioner had signed the cheque dated March 27, 1997 which was dishonoured on April 2, 1997. Admittedly again, after the cheque was dishonoured, he was served a notice which he received and even responded to the same.

After the petitioner was summoned by the Court of the Metropolitan Magistrate, he moved an application under Section 91 of the Code of Criminal Procedure seeking a direction to the company to produce certain documents in order to show that he had left the company at the time when the cheque in question was issued and therefore he was not in-charge of the management of the affairs of the accused company. This request of the petitioner was declined by the Metropolitan Magistrate vide order dated May 31, 2008. Hence, the present revision petition.

It is not understood as to why when the petitioner admits that the cheque in question bears his signatures, the application under

Signature Not Verified

Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

section 91 of the Code of Criminal Procedure was filed. The Metropolitan Magistrate has rightly dismissed the application. There is no merit in the revision petition. The same is dismissed. However, it will be open to the petitioner to move the Metropolitan Magistrate for a direction to the complainant to place the relevant documents on the record.

Crl. M A NO. 11249/2008

This is an application under Section 482 of the Code of Criminal Procedure seeking exemption from filing certified copies of annexures. The application is allowed subject to the petitioner filing certified copies of annexures, within four weeks.


REKHA SHARMA, J.

SEPTEMBER 17, 2008
PC.