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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 919/2010

KANCHANS BANERJEE

Through Mr Joginder Tuli, Adv.

..... Petitioner

versus

STATE NCT OF DELHI & ANR.

Through Mr O.P. Saxena, APP
Mr. Gurpreet Singh, Adv. for R-2

.... Respondent

CORAM:

JUSTICE SHIV NARAYAN DHINGRA

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ORDER
27.08.2010

This petition has been filed by the petitioner for quashing of criminal proceedings against the petitioner in the complaint case under Section 138 of Negotiable Instrument Act. The petitioner had not accepted notice under Section 251 Cr. P.C., neither raised this defence that the petitioner was not liable to be prosecuted under this Section before the Court of MM.

In view of the judgment of this Court in *Rajesh Agarwal Vs. State & Anr.*, Crl. M.C. No. 1996/2010, decided on 28th July, 2010, the petitioner should approach the concerned Court of MM and take proper defence there after accepting notice under Section 251 Cr. P.C.

The petition is not maintainable and hereby dismissed.

AUGUST 27, 2010
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SHIV NARAYAN DHINGRA, J

Signature Not Verified

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