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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3069/2010

TRIVENI MEDIA LTD & ORS

..... Petitioner

Through: nemo

versus

STATE & ANR

..... Respondent

Through: Mr. Sunil Sharma, APP for State

CORAM:

JUSTICE SHIV NARAYAN DHINGRA

ORDER

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15.11.2010

This petition has been preferred by the petitioners for quashing a criminal complaint under Section 138 of Negotiable Instruments Act.

In my view, the appropriate course available to the petitioners is to raise their defence before the trial court concerned and not before this Court. This Court cannot step into the shoes of trial court and look into the defence raised by the petitioners. The proceedings under Section 138 NI Act being summary trial, this petition, in view of judgment of this Court in *Rajesh Agarwal v State & Anr 171 (2010) DLT 51*, ~~this petition~~ is not maintainable and is hereby dismissed as such. The petitioners, however, would be at liberty to raise their defence before the trial court concerned.

The petition stands dismissed.

SHIV NARAYAN DHINGRA, J

NOVEMBER 15, 2010

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At this stage, counsel for the petitioners Mr. Sanjay S. Chhabra appeared and brought to my notice the order passed by the Supreme Court on 10th November 2010. The order is taken on record. The petitioners would be at liberty to bring this order to the notice of trial court concerned.

SHIV NARAYAN DHINGRA, J

NOVEMBER 15, 2010

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Signature Not Verified

Signing Date: 06.08.2024 17:06:00
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.