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

CNR No. DLHC010375632026

+ **CRL.M.C. 5953/2026 & CRL.M.A.24807/2026**

SAMEER KATHURIA Petitioner

Through: **Mr. Masood Hussain, Advocate.**

versus

**M/S KHANUJA EXPORT AND FINANCE
PVT LTD**

.....Respondent

Through: **Ms. Rishika Ahuja, Adv.**

(33)

CNR No. DLHC010375642026

+ **CRL.M.C. 5954/2026 and CRL.M.A. 24809/2026**

SAMEER KATHURIA Petitioner

Through: **Mr. Masood Hussain, Advocate.**

versus

**M/S KHANUJA EXPORT AND
FINANCE PVT LTD**

.....Respondent

Through: **Ms. Rishika Ahuja, Adv.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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24.08.2026

1. These petitions seek to challenge the judgment dated 05.06.2026 passed by learned Additional Sessions Judge, Tis Hazari Courts, Delhi



whereby the petitioners revision petition under Section 397/399 of the Code of Criminal Procedure, 1973 (Cr.P.C.)/Sections 438/441 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS') against the order dated 18.02.2026 passed by learned Judicial Magistrate First Class (NI Act), Tis Hazari Courts, Delhi has been dismissed on two grounds, viz. firstly, revision petition is not maintainable bearing in mind the order was of interlocutory nature and, secondly, there was no merits.

2. The Court finds that if the revision was found to be non-maintainable, the Court ought not to have decided the case on merits. In any case, while hearing the petitioner on 14.08.2026, this Court has directed the petitioner to deposit a total amount of Rs.50,000/- before the concerned Court (Rs.25,000/- for each matter). Pursuant to the said order on 22.08.2026, JMFC has passed the following order:

"Ld. Counsel for the accused submits that as per order dated 14.08.2026 of Hon'ble High Court of Delhi, the accused to deposit cost of Rs.50,000/- before this Court. Ld. Counsel for the accused has furnished a copy of the order. Same is taken on record.

Heard. Perused.

Cost of Rs.50,000/- is deposited by the Ld. Counsel for the accused. The cost is given to Ld. Counsel for the complainant who has acknowledged its receipt on behalf of the complainant.

Application disposed of accordingly.

Put up for already purpose fixed for 25.08.2026.

As requested, copy of dasti be given to Ld. Counsel for the accused."

3. Mr. Ahuja, learned counsel appearing for the respondent has raised various objections.

4. The Court, however, finds that in the interest of justice and as a last



opportunity, the petitioner can be granted a further opportunity to cross examine the complainant's witnesses. The same, however, shall remain subject to further payment of cost of Rs.10,000/- for each matter (total Rs.20,000/-).

5. If the petitioner makes the payment of the said amount on the next date of hearing, let the petitioner be permitted to cross examine the complainant's witnesses.

6. Let the Trial Court to fix a date for that purpose.

7. Learned JMFC is also directed to decide the main matter with due expedition.

8. With these observations, the petitions stand disposed of. Pending applications also stand disposed of.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 24, 2026

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