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

**Judgment reserved on: 27.05.2015**

**Judgment delivered on: 01.07.2015**

+ **Crl. A. 710/2015**

BIMLA BATRA

..... Appellant.

Through: Mr. K. N. Popli & Mr. Mohit Popli,  
Advocates.

versus

M/S. VND FOODS & ORS.

..... Respondents

Through: Mr. Mr. Juggal Wadhwa, Mr. Rishabh  
Wadhwa and Mr. Parth Kaushik,  
Advocates for R-1 & 2.  
Mr. Rajeev Kumar and Mr. Saurabh  
Kumar, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**J U D G M E N T**

**VIPIN SANGHI, J.**

1. The present appeal is directed against the common judgment dated 10.07.2014 passed by the learned Metropolitan Magistrate (NI Act)-041 Tis Hazari Courts, New Delhi in CC No. 95/10 whereby the complaint preferred by the appellant under Section 138 of the Negotiable Instruments Act (the NI Act), was rejected, and the respondents/accused were acquitted.

2. The facts in the present case are same as in the connected matter titled as *Sangeeta Batra vs. M/s VND Foods & Ors*, Crl. A. 679/2015. The accused, in lieu of his liability, had issued 12 cheques in favour of each of the five sisters/ owners/ landladies of the property in question. 12 of these cheques were issued in favour of the appellant/ complainant. Of these 60 cheques, 47 got dishonoured upon presentation, leading to filing of 47 separate complaints qua each dishonoured cheque. The details of the complaint, wherefrom the present appeal arises, are as follows:

| CC No. | Complainant | Cheque dated | Cheque No. |
|--------|-------------|--------------|------------|
| 95/10  | Bimla Batra | 06.04.2009   | 015012     |

3. I have allowed the aforesaid Crl.A. 679/2015 preferred in respect of acquittal of the accused in CC No.76/2010. Following the same, the present appeal is also allowed; the impugned judgment is set aside, and; the respondents/ accused stand convicted of the offence under Section 138 of the NI Act.

**(VIPIN SANGHI)**  
**JUDGE**

**JULY 01, 2015**