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

+ **CRL.M.C. 4228/2016**

SRISHAILA CONSTRUCTIONC PVT LTD & ORS..... Petitioners

Represented by: Mr. Trideep Pais, Mr Naman
Joshi and Mr. Devashish
Chauhan, Advocates.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.11.2016

Crl. M.A. No. 17645/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4228/2016 and Crl. M.A. No. 17644/2016 (stay)

1. By this petition the petitioners seek quashing of complaint case being CC No. 534/01 (renumbered as CC No. 10312/2016) titled as 'Sanjay Kumar vs. M/s Srishaila Constructions Pvt. Ltd.' pending in the Court of Ms. Swati Singh, learned Metropolitan Magistrate.

2. The pleas taken by the petitioners in the present complaint are that the cheque was issued as a guarantee/surety and that fabricated documents have been placed along with the complaint, which pleas can be considered only at the stage of trial and not in a petition under Section 482 Cr.P.C. However, considering the nature of defence sought to be placed by the petitioners,

CRL.M.C. 4228/2016

Page 1 of 2

learned Trial Court would consider the application for grant of exemption from appearance in accordance with law.

3. Petition and application are dismissed as withdrawn.

MUKTA GUPTA, J.

NOVEMBER 11, 2016

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