

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION Nos.6585 AND 6697 OF 2017

COMMON ORDER:

Heard learned counsel for the petitioners in both matters, before ordering notice to the 1st respondent – defacto complainant of the two private complaint cases for the offence punishable under Section 138 N.I.Act and perused the grounds urged in the quash petitions and also heard the learned Public Prosecutor, representing the State.

2. These two petitions are disposed of, instead of keeping pending and staying the matter, by giving liberty to the petitioners to file application before the lower court respectively for the two cases, under Section 251 Cr.P.C., for the learned Magistrate to decide the sustainability of the criminal proceedings pursuant to the expressions of the Hon'ble Apex Court in ***Bhushan Kumar Vs. State (NCT of Delhi)***¹ and ***Arvind Kejriwal & Others Vs. Amit Sibal and another***².

3. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO,J

01.08.2017

Note: issue C.C. today.
B/o.SS

¹ 2012 (5) SCC 424

² 2014 SCC online Del 212