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

+ CRL.M.C. 4426/2017 & Crl MA Nos. 17744-45/2017

GEETA GUPTA Petitioner

Through: Mr. Mohit Mathur, Sr Adv with
Mr. Abhilash Mathur, Adv

versus

M/S NIVEDAN FIN INVEST LEASE LTD & ANR..... Respondents

Through: Mr. G.M. Farooqui, APP for State.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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01.11.2017

Learned senior counsel for the petitioner submits that petitioner is a house-wife and she had stood as guarantor to the loan taken by her husband from respondent no.1-M/s Nivedan Fin Invest Lease Ltd. Petitioner had issued cheque to respondent no.1 as guarantor. Petitioner was not aware of the complaint under Section 138 Negotiable Act, 1881 filed by respondent against the petitioner. At the time of taking loan, petitioner was residing at No.30, MOH No.09, Jalandhar Cantt., District Jalandhar, Punjab. Subsequently, in the year 2016 she shifted to 1, Royal Estate, Village Nangal, Old Phagwara Road, Jalandhar, Punjab. Petitioner did not receive summons from the trial court.

Learned senior counsel for the petitioner submits that petitioner shall appear before the trial court on the date fixed, that is 15th December, 2017.

Impugned order issuing process under Section 82 CrPC against the petitioner is set aside, however, subject to petitioner appearing before the

trial court on 15th December, 2017 and participating in the proceedings thereafter in accordance with law.

Petition is disposed of.

Miscellaneous applications are disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

NOVEMBER 01, 2017

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