

\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1499/2018 & Crl.M.A. No.5448/2018, 5450/2018**

RAJESH CHACKO Petitioner
Through: Mr. Himanshu Kaushik with Mr.
S. Sebastian, Advocates.
versus

M/S UNOR EXIM PVT LTD Respondent
Through: Ms. Aishwarya Rao, Advocate.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **25.07.2018**

The petition at hand filed under Section 482 of Code of Criminal Procedure, 1973 challenges the summoning order passed by Metropolitan Magistrate on the complaint of respondent alleging offence under Section 138 of Negotiable Instruments Act, 1881. The issuance of cheque and dishonour at the bank upon presentation leading to demand notice being issued but no payment having been made there against is not disputed. It is the contention of the petitioner that the cheque was issued as security and not for discharge of a liability. This is a matter of defence of which evidence will have to be adduced.

The petition is dismissed.

R.K.GAUBA, J

JULY 25, 2018
srb