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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 391/2019 & CRL.M.A.1688/2019**  
**INTERCORP BIOTECH LTD. .... Petitioner**  
Through: Mr. Visheshwar Srivastava,  
Advocate

versus

**DILIP SHRIMANKAR PROPRIETOR M/S SURYA**  
**CORPORATION .... Respondent**  
Through: Mr. Rajesh Gehlawat, Advocate

**CORAM:**  
**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

% **ORDER**  
**27.03.2019**

1. After some arguments, learned counsel for the petitioner seeks permission to withdraw the petition, with a direction to the Trial Court to expedite the proceedings and allowing him to summon the witness, Anil Kumar, in view of the contradictory stand taken by the respondent by filing an application under Section 145(2) of the NI Act and the order passed therein on 13.2.2018.

2. Learned counsel for the petitioner submitted that the complaint under Section 138 of the Negotiable Instruments Act, 1881 (NI Act) was filed in the year 2011. Taking into consideration that the complaint is pending adjudication before the Trial Court since 2011, hence, the proceedings in the matter may be expedited and preferably be decided within a period of 1 ½ years.

3. Accordingly, the petition is dismissed as withdrawn. The petitioner is granted liberty to file an application to summon the witness, Anil Kumar, which may be decided on merits as per law. The Trial Court shall see that no further adjournment is granted on the date fixed. Interim order granted on 8.2.2019 also stands vacated. Crl.M.A.1688/2019 is also dismissed.

**CHANDER SHEKHAR, J**

**MARCH 27, 2019**

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