

\$~19

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

+ **CRL.M.C. 1875/2017 and CRL.M.A. 29290/2018**

RAVINDER SINGH Petitioner

Through: Adv. (Appearance not given)

versus

JAI SINGH SADANA Respondent

Through: Mr. Adab Singh Kapoor, Ms. Shefali
and Mr. Raghav Mittal, Advs.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

%

17.09.2019

The petitioner has challenged the order of summoning of the learned Trial Court on the ground that the petitioner therein did not sign the cheque and has not received money from the complainant and moreover, the complainant has not issued legal notice. Thus, the summoning orders were issued without considering the above facts.

As far as the present case is concerned, the cheque is not issued by the petitioner. Admittedly, the legal notice also not issued to the petitioner. However, the learned trial Court has issued summons against the petitioner.

This Court, after hearing Crl.M.C. 1695/2017, granted exemption to the petitioner from personal appearance on 26.01.2017 and on 03.11.2017, the said order was made absolute during the pendency of the petition bearing CRL.M.C. No. 1695/2017. Thus, it amounts to stay granted to the trial Court

not to frame notice under Section 251 Cr.P.C.

Since, the grounds taken in Crl. M.C. 1695/2017 are not available in the present petition, therefore, I find no ground in the present petition and the same is accordingly dismissed.

Trial Court is directed to proceed in the matter. However, till further orders, Jasmer Singh (the petitioner) in Crl. M.C. 1695/2017 shall remain exempted from personal appearance in the Court.

I hereby make it clear that before framing of the issue under Section 251 Cr.P.C., the trial Court shall hear the petitioner and pass reasoned order.

SURESH KUMAR KAIT, J

SEPTEMBER 17, 2019

PB