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

+ **CRL.M.C. 62/2020 & CRL.M.A.276/2020**

**ARUN AGGARWAL**

.....Petitioner

Through: Mr. R.D.Sharma, Mr. Rajat Sharma,  
Mr. Chetan Sharma and Ms. Ruchika  
Sharma, Advocates.

versus

**M/S INDO RAMA SYNTHETICS (I) LTD. & ANR.**

.....Respondents

Through: Mr.Gulshan Chawla and Mr. Shaswat  
Kr. Jain, Advocates.

+ **CRL.M.C. 65/2020 & CRL.M.A.287/2020**

**ARUN AGGARWAL**

.....Petitioner

Through: Mr. R.D.Sharma, Mr. Rajat Sharma,  
Mr. Chetan Sharma and Ms. Ruchika  
Sharma, Advocates.

versus

**M/S INDO RAMA SYNTHETICS (I) LTD. & ANR.**

.....Respondents

Through: Mr.Gulshan Chawla and Mr. Shaswat  
Kr. Jain, Advocates.

+ **CRL.M.C. 66/2020 & CRL.M.A.290/2020**

**ARUN AGGARWAL**

.....Petitioner

Through: Mr. R.D.Sharma, Mr. Rajat Sharma,  
Mr. Chetan Sharma and Ms. Ruchika  
Sharma, Advocates.

versus

**M/S INDO RAMA SYNTHETICS (I) LTD. & ANR.**

.....Respondents

Through: Mr.Gulshan Chawla and Mr. Shaswat



Kr. Jain, Advocates.

**CORAM:**  
**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**  
**02.09.2024**

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1. Petition under Section 482 Cr.P.C has been filed challenging the impugned Order of learned M.M dated 06.07.2018 vide which the petitioner has been summoned.
2. Learned counsel for the complainant submits that similar summoning Orders have been upheld by this Court and the SLP is pending in the Apex Court.
3. Learned counsel for the petitioner, however, submits that his case is on a different footing in so much as he is a non-Executive Director who was not involved in the day-to-day affairs of the company and could not have been summoned for the offence under Section 138 N.I.Act.
4. Be that as it may, it is the summoning Order of learned M.M dated 06.07.2018 which has been challenged by way of this petition filed on 21.12.2019. There was an alternate efficacious remedy available to challenge the impugned Order before the learned ASJ which has not been availed. Instead, the present petition has been filed.
5. Not only there is a delay in filing the petition to challenge the Order of summoning dated 06.07.2018 of learned MM, but there was an alternate efficacious remedy by way of Revision available with the petitioner, which he has failed to avail.
6. The petition is accordingly dismissed with liberty to the petitioner to seek the appropriate remedy before the learned Additional Sessions Judge.



Needless to say, that the time taken in the present petition is liable to be excluded for computation of limitation.

7. Petition stands disposed of along with the pending applications, if any.

**NEENA BANSAL KRISHNA, J**

**SEPTEMBER 2, 2024**

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