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

+ **CRL.L.P. 136/2019**

SUNIL KUMAR JAIN Petitioner

Through: Ms. Apurva Tyagi, Adv.

versus

M/S RIYA GARMENTS & ANR Respondents

Through: Mr. Devender Kr. Sharma,
Mr. Bhawal Gaur, Mr.
Shreen Sharma and Ms.
Gatha Ramola, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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07.02.2024

1. The present petition is filed challenging the judgment dated 29.11.2018, passed by the learned MM, Karkardooma Courts, in CC No. 53368/16 (hereafter '**the impugned judgment**').

2. It is submitted that the petitioner/ complainant had alleged that he had supplied the goods to the respondents against four different invoices, for which four separate cheques were issued. The complainant had alleged that all the four cheques were dishonoured, which led to filing of separate complaints under Section 138 of the Negotiable Instruments Act, 1881.

3. The learned counsel for the respondents, at the outset, submits that all the complaints were dismissed by the learned Trial Court since the complainant had not been able to prove that the cheques were issued for repayment of debt or admitted liability.

4. He further points out that the complainant had preferred



separate petitions challenging the order of dismissal of the complaint in relation to two of the cheques, which was dismissed by the Coordinate Bench of this Court by a common order dated 19.02.2019.

5. It is not disputed by the learned counsel for the petitioner that the facts of the present case are identical to the one that has been decided by the Coordinate Bench of this Court.

6. The Coordinate Bench of this Court, by order dated 19.02.2019, has held that the complainant had not made out a case and had failed to establish that the cheque was issued for repayment of debt or any admitted liability.

7. In view of the above, the impugned judgment does not warrant any interference, and the present petition is, accordingly, dismissed.

AMIT MAHAJAN, J

FEBRUARY 7, 2024

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