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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2930/2024 & CRL.M.A. 11195/2024**

MR.MANU GARGPetitioner
Through: None.

versus

PRITISH AGGARWALRespondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

% **ORDER**
11.09.2024

1. Petition under Section 482 Cr.P.C has been filed for quashing of Criminal Complaint Case No.2924/2019 under Section 138 of N.I.Act pending in the Court of learned M.M, Rohini Courts, Delhi.
2. It is submitted in the petition that the petitioner had no role to play in the issuance of cheques on behalf of the company and the entire complaint is liable to be quashed against him.
3. The contents of the petition reflect that the complaint under Section 138 N.I.Act was filed in which pre-summoning evidence was recorded on 09.11.2019 and the petitioner was summoned as one of the Directors of the accused Company, along with other Directors. The petitioner appeared before the learned M.M and was admitted to bail on 04.06.2020.
4. Though the relief has been framed for quashing of the



complaint case but it is evident from the averments made in the Writ Petition that the cognizance was taken on the Complaint under Section 138 N.I.Act way back in 2019. Pursuant to the summoning, the petitioner has already appeared and taken bail on 04.06.2020. Though couched in the manner that the compliant itself is liable to be rejected, but the perusal of the complaint shows that there are specific averments that petitioner along with other Directors were involved in the day-to-day affairs of the Company.

5. It is essentially the summoning Order which is sought to be challenged by way of present Writ Petition filed on 04.11.2020. It not only suffering from delay and laches in challenging the Order of 2020, but there is also an alternate efficacious remedy that was available to the petitioner.

6. In the circumstances, petition is dismissed with liberty to the petitioner to pursue the remedy before the appropriate forum.

NEENA BANSAL KRISHNA, J

SEPTEMBER 11, 2024

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