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

+ CRL.M.C. 1918/2020, CRL.M.A.13690/2020

ROYAL TRADERS LTD AND ORS & ORS. ....Petitioners

Through: Counsel(Appearance not given)

versus

REGISTRAR OF COMPANIES .....Respondent

Through: Mr. Naginder Benipa, SPC for UOI,  
Mr. Ankit, Mr. Aman, Ms. Anjali  
Pandey and Mr. Shubham Saini,  
Advocates

**CORAM:**

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

**ORDER**  
**27.08.2024**

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1. The present Petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 against the Order dated 30.04.2019 vide which the petitioners have been summoned for the offences Under Section 206(7) & 207 (4) (1) of the Companies Act, 2013 for contravention of Section 206(4) and 207(3)(b) of the Companies Act, 2013 .

2. Learned counsel for the petitioner submits that the complaint filed on behalf of the respondent was barred by limitation. An Application for condonation of delay had been filed on behalf of the respondents, which was not decided and the summoning Order had been made and Notice consequently framed, which is not tenable under Law. It is therefore submitted that the proceedings undertaken in CC No. 1210/2019 are liable to



be quashed and set aside.

3. Learned counsel for the petitioner submits that the Court has proceeded as per law.

4. **Submissions Heard.**

5. In the case of *Ramesh Chandra Sharma and Anr. Versus Registrar of Companies NCT of Delhi and Haryana*, it was held that when the Application for condonation of Delay is pending and has not been decided, subsequent proceedings undertaken are liable to be quashed.

6. In view of the Judgement and the law, the Petition is allowed and the case is remanded back to the learned Trial Court to first decide the condonation of delay Application.

7. The parties are hereby directed to appear before the learned CMM, District and Sessions Court on 02.09.2024 at 2 PM, who may mark it to the concerned Judge.

8. The Petition is accordingly disposed of along with the pending Applications.

**NEENA BANSAL KRISHNA, J**

**AUGUST 27, 2024/PT**