



\$~52

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

+ **CRL.M.C. 5005/2023**

**PRATIBHA DEVI**

.....Petitioner

Through: Mr. Yashovir Singh, Adv.  
versus

**M/S MONTAGE ENTERPRISES PVT LTD & ANR.**

.....Respondents

Through: Mr. Sujit Gupta, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

% **27.01.2025**

1. This hearing has been done through hybrid mode.

**CRL.M.A. 2394/2025 (exemption)**

2. Allowed, subject to all just exceptions.

3. The application is disposed of.

**CRL.M.A. 2393/2025 (delay 17 days)**

4. This is an application under Section 5 of the Limitation Act read with Section 528 of the BNSS seeking condonation of delay of 17 days in filing of the accompanying application for restoration.

5. Issue notice.

6. Learned counsel for the respondents accepts notice, and fairly does not oppose the application.

7. For the reasons stated in the application and in the interest of justice, the delay of 17 days is condoned and the application is allowed.

8. The application is disposed of accordingly.



**CRL.M.A. 2395/2025 (delay in refiling of 3 days)**

9. This is an application under Section 528 of the BNSS seeking condonation of delay of 03 days in re-filing of the accompanying application for restoration.

10. Issue notice.

11. Learned counsel for the respondents accepts notice, and fairly does not oppose the application.

12. For the reasons stated in the application and in the interest of justice, the delay of 3 days is condoned and the application is allowed.

13. The application is disposed of accordingly.

**CRL.M.A. 2392/2025 (CM For Restoration)**

14. This is an application under Section 528 of the BNSS seeking the following prayers:

“A. Issue an order to restore the quashing petition bearing no. CRL.M.C. No. 5005/2023 titled as “PRATIBHA DEVI VS. M/S MONTAGE ENTERPRISES PVT. LTD” at its original position; and

B. Issue any other order/direction deemed necessary in the interests of Justice.”

15. Issue notice.

16. Learned counsel for the respondents accepts notice, and fairly does not oppose the application, subject to payment of cost.

17. For the reasons stated in the application and in the interest of justice, the same is allowed and disposed of, subject to the cost Rs. 25,000/- to be paid to the respondents.

18. Let the petition be restored to its original number.



**CRL.M.C. 5005/2023**

19. List on 01.05.2025.

**AMIT SHARMA, J**

**JANUARY 27, 2025/kr**

*[Click here to check corrigendum, if any](#)*