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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4060/2024**
SUSHIL KUMAR LEEKHA

..... Petitioner

Through: Mr.Himanshu Leekha, Adv.

versus

STATE GOVT. NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Aman Usman, APP

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
20.05.2024

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CRL.M.A. 15456/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4060/2024 & CRL.M.A. 15457/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 challenging the maintainability of the Complaint Case no. 613098/2016, titled *Dinesh Kumar v. Susheel Kumar Leekha*, filed by the respondent against the petitioner herein under Section 138 of the Negotiable Instruments Act, 1881.

3. The learned counsel for the petitioner submits that notice has still not been framed in the said petition.

4. In my view, the plea, especially the plea stating that the complaint has been filed beyond the period of limitation, can be taken by the petitioner in the present petition at the stage of framing of the notice before the learned Trial Court.



5. With this observation, the present petition and the application are disposed of.

NAVIN CHAWLA, J

MAY 20, 2024/Arya

Click here to check corrigendum, if any