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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5028/2024 & CRL.M.A. 19219/2024**

MS. BIRI SANTI NIDO

.....Petitioner

Through: Mr. S.S. Parihar, Mr.
Subhash Chand Baisoya
& Mr. Nakul Kasana,
Advocates.
Petitioner-in-Person
(Through V.C.).

versus

THE STATE NCT OF DELHI & ANR.Respondents

Through: Mr. Rajkumar, APP for
the State.
Mr. Rahul Vidhiya & Mr.
Prince Malik, Advocates
for R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
11.09.2024

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1. The learned counsel for the respondent fairly submits that he has no objection if the proceedings under Section 82 of the Code of Criminal Procedure, 1973 ('CrPC') are quashed, subject to petitioner undertaking that she will appear before the learned Trial Court and not take unwarranted adjournment in the proceedings initiated under Section 138 of the Negotiable Instruments Act, 1881 ('NI Act').
2. Considering the above, this Court is of the opinion that ends of justice would be served if the proceedings under Section 82 of the CrPC are set aside and the respondent is compensated for the delay.
3. The petitioner appears through video conferencing and states that she was not aware of the pendency of the proceedings



before the learned Trial Court in the complaint filed by the respondent under Section 138 of the NI Act.

4. She undertakes that she will appear before the learned Trial Court as and when directed and no unwarranted adjournment will be taken henceforth.

5. Considering the above, the present petition is allowed to the extent that proceedings under Section 82 of the CrPC and all consequent orders under Section 82 of the CrPC in CC no.3293/2019 are quashed, subject to petitioner paying a sum of ₹20,000/- to the respondent before the next date of hearing before the learned Trial Court. It is pointed out that the matter is now listed before the learned Trial Court for consideration on 26.09.2024.

6. The petitioner is directed to appear before the learned Trial Court on 26.09.2024 for further proceedings before the learned Trial Court.

7. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

SEPTEMBER 11, 2024

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