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

+ **CRL.M.C. 5667/2024, CRL.M.A. 21644/2024**

SANJAY KR JAIN

.....Petitioner

Through: Mr. Shri Singh, Mr. Vikhyat Oberoi,
Ms. Nishita Gupta, Mr. Ravi Sharma,
Mr. Shivam Prakash and Ms. Surabhi
Vaga, Advocates.

versus

M/S TRIVENI TRUST

.....Respondent

Through: Mr. Akhil Mittal, Mr. Sunil Mittal,
Mr. Vivek Singhal, Ms. Shikha,
Ms. Kanika, Mr. Lucky Sharma and
Ms. Vineet Kumar Mishra, Advocates

+ **CRL.M.C. 5671/2024, CRL.M.A. 21659/2024**

M/S KAHU & ANR.

.....Petitioners

Through: Mr. Shri Singh, Mr. Vikhyat Oberoi,
Ms. Nishita Gupta, Mr. Ravi Sharma,
Mr. Shivam Prakash and Ms. Surabhi
Vaga, Advocates.

versus

M/S TRIVENI TRUST

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Through: Mr. Akhil Mittal, Mr. Sunil Mittal,
Mr. Vivek Singhal, Ms. Shikha,
Ms. Kanika, Mr. Lucky Sharma and
Ms. Vineet Kumar Mishra, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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25.07.2024

CRL.M.A. 21645/2024 in CRL.M.C. 5667/2024

CRL.M.A. 21660/2024 in CRL.M.C. 5671/2024

Exemptions allowed, subject to just exceptions.

Applications stand disposed of.



CRL.M.C. 5667/2024, CRL.M.A. 21644/2024

CRL.M.C. 5671/2024, CRL.M.A. 21659/2024

1. Separate petitions under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') have been preferred on behalf of the petitioners challenging order dated 20.07.2024 passed by learned ASJ-02, Tis Hazari Courts, Delhi in Cr. Rev. Nos. 232/2024 & 233/2024, whereby, applications preferred on behalf of the petitioners before the learned Revisional Court for pre-poning the matter were dismissed.

2. Issue notice. Learned counsel for the respondent appears on advance notice and accepts notice.

3. Learned counsel for petitioners submits that separate Criminal Revision Petitions were preferred before learned ASJ against order of summoning, raising the issue of limitation. Further during pendency of the aforesaid Revision Petitions, since the learned Trial Court went ahead for fixing the matter for consideration of notice under Section 251 Cr.P.C., applications for pre-poning the date were preferred before learned ASJ.

He emphasizes that in case, the Revision Petitions are not considered/disposed of by the learned Revisional Court or the proceedings before the learned MM are not stayed, the petitioner is likely to be prejudiced by framing of notice by learned MM.

4. Learned counsel for respondent No. 2 submits that the complaint had been preferred within limitation period and the Revision Petitions have been filed only to delay the proceedings. He also informs that despite mediation proceedings, the matter could not be settled between the parties.

5. Considering the totality of the facts and circumstances, learned Trial Court is directed to not proceed with the framing of notice during the



pendency of Criminal Revision Petitions pending before learned ASJ-02 (West), Tis Hazari Courts, Delhi. Further learned ASJ shall ensure to dispose of the Cr. Rev. Nos. 232/2024 & 233/2024 in a time bound manner, preferably within a period of two months from the date fixed before the Court.

Petitions are accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to concerned MM as well as learned ASJ / successor Court for information and compliance.

A copy of this order be kept in connected petition.

ANOOP KUMAR MENDIRATTA, J.

JULY 25, 2024/R