



2024 : DHC : 2792



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

Date of decision: 05.04.2024

+ **CRL.M.C. 1729/2022 & CRL.M.A. 7368/2022**
+ **CRL.M.C. 1730/2022 & CRL.M.A. 7370/2022**
+ **CRL.M.C. 1731/2022 & CRL.M.A. 7372/2022**
+ **CRL.M.C. 1732/2022 & CRL.M.A. 7374/2022**
+ **CRL.M.C. 1733/2022 & CRL.M.A. 7376/2022**
+ **CRL.M.C. 1734/2022 & CRL.M.A. 7379/2022**
+ **CRL.M.C. 1735/2022 & CRL.M.A. 7381/2022**
+ **CRL.M.C. 1736/2022 & CRL.M.A. 7383/2022**
+ **CRL.M.C. 1737/2022 & CRL.M.A. 7385/2022**
+ **CRL.M.C. 1738/2022 & CRL.M.A. 7387/2022**
+ **CRL.M.C. 1739/2022 & CRL.M.A. 7389/2022**

ANIL METRE

..... Petitioner

Through: **Mr.Mayank Kumar and
Ms.Preeti Giri, Advs.**

versus

POOJA PRESS AND PRAKASHAN PVT. LTD

..... Respondent

Through: **Mr.TPS Kang, Adv. (through
VC)**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

NAVIN CHAWLA, J. (ORAL)

1. These petitions have been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') challenging the Order dated 04.10.2021 (hereinafter referred to as 'Impugned Order')



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passed by the learned Additional Sessions Judge-05, South-East District, Saket Courts, New Delhi in Criminal Revision Nos.204666 to 204672, and 204674 to 204677/2016, whereby the learned Revisional Court allowed the said Revision Petitions and set aside the Order dated 24.01.2013 passed by the learned Metropolitan Magistrate on Complaint Cases filed by the respondent against the petitioner under Sections 138 and 141 of the Negotiable Instruments Act, 1881.

2. The limited grievance of the petitioner against the Impugned Order is that the hearing before the learned Additional Sessions Judge was confined only to an application dated 06.09.2014 that had been filed by the respondent herein; the revision petitions before the learned Additional Sessions Judge were not listed for hearing and no submissions were addressed by the petitioner on the same. However, the learned Additional Sessions Judge had proceeded to decide the revision petitions itself without giving an opportunity to the petitioner herein to file a reply to the revision petitions or to be heard on the same.

3. I have perused the order-sheet of the learned Revisional Court which has been placed along with petition before this Court, and I find merit in the submission made by the learned counsel for the petitioner.

4. The learned counsel for the respondent also does not object to the petitioner being granted an opportunity to file a reply and being heard in the revision petitions.

5. Accordingly, the Impugned Order dated 04.10.2021 is set aside. The Revision Petitions are restored back to their original numbers.

6. The petitioner shall file a reply to the revision petitions within a



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period of three weeks. Rejoinder thereto, if any, be filed by the respondent herein within a period of three weeks thereafter.

7. The learned Revisional Court shall, thereafter, decide on the revision petitions after giving an opportunity of hearing to the parties, remaining uninfluenced by any observation made in the Impugned Order. The learned Revisional Court is requested to expedite the hearing of the revision petitions and not grant any unwarranted adjournments to the either party for the same.

8. The parties shall appear before the learned Revisional Court on 15th May, 2024.

9. In the meantime, the proceedings before the learned Trial Court as against the petitioner herein shall remain stayed.

10. The petitions are disposed of in the above terms. The pending applications also stand disposed of as being rendered infructuous.

NAVIN CHAWLA, J

APRIL 5, 2024/ns/RP

Click here to check corrigendum, if any