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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.L.P. 545/2022
MS VECTOR MARKETINGPetitioner

Through: Mr. Dhruva Bhagat, Adv.
versus

STATE & ORS.Respondent

Through: Mr. Sunil Kumar Gautam, APP

41

+ CRL.L.P. 546/2022
M/S VECTOR MARKETINGPetitioner

Through: Mr. Dhruva Bhagat, Adv.
versus

STATE & ORS.Respondent

Through: Mr. Sunil Kumar Gautam, APP

42

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M/S VECTOR MARKETINGPetitioner

Through: Mr. Dhruva Bhagat, Adv.
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M/S VECTOR MARKETINGPetitioner

Through: Mr. Dhruva Bhagat, Adv.
versus

STATE & ORS.Respondent

Through: Mr. Sunil Kumar Gautam, APP
Mr. Furkan Ahmed, Mr. Amra, Mr.
Shakeel Ahmad, Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
03.12.2024

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1. These are applications filed under section 378 (4) of Code of Criminal



Procedure, 1973 seeking leave to appeal against the judgment dated 09.09.2022 passed by the learned Metropolitan Magistrate - 04 (New Delhi) in Complaint Case Nos. 8804/20; 3121/2020; 834/2021 and 15244/2019, whereby respondent No. 2, who is the director of Respondent no. 3 was acquitted of the offences under Section 138 Negotiable Instrument Act, 1881.

2. Mr. Bhagat, learned counsel for the appellant states that the learned Metropolitan Magistrate has wrongly observed that respondent No. 2 was not involved in day to day affairs of respondent no. 3. He states that the learned Metropolitan Magistrate has ignored the fact that respondent no. 2 had participated in the negotiation process between the petitioner and respondent no. 3, which resulted in the Memorandum of Understandings (MOUs) being executed between the petitioner and respondent no. 3.

3. It is pointed out that respondent no. 2 has signed each and every page of the MOUs executed between the appellant and respondent no. 3, which indicates that respondent no. 2 was involved in the decision making process of respondent no. 2.

4. I am of the view that the appellant has *prima facie* made grounds for grant of leave to appeal against the judgment dated 09.09.2022.

5. For the reasons noted above, the present applications are allowed and the appellant is granted leave to appeal against the judgment dated 09.09.2022 passed by the learned Metropolitan Magistrate - 04 (New Delhi) in Complaint Case Nos. 8804/20; 3121/2020; 834/2021 and 15244/2019.

6. The applications are disposed of accordingly.



CRL.APPEALS. _____/2024 (TO BE NUMBERED)

7. List on 14.04.2025.

DECEMBER 3, 2024/sp

JASMEET SINGH, J

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