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

+ CRL.M.C. 8298/2024, CRL.M.A. 31712/2024 & CRL.M.A.
31713/2024

M/S SHIVALIK FURNISHERS

.....Petitioner

Through: Mr. Shashank Agrawal, Advocate

versus

ZORIN INTERIORS PVT LTD

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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21.10.2024

1. This petition seeks quashing of CC No.3709/2023 under 138 NI ACT pending before the Metropolitan Magistrate.
2. Brief facts are that basis the complaint, a cheque for Rs.8,28,103/- was issued as part of various transactions between complainant and M/s. Shivalik Furnishers. A ledger account was also opened by the complainant recording day-to-day sales and details of invoices, amount due have been entered. Copy of the ledger accounts was appended along with the complaint. Basis the assurance of accused, the complainant delivered consignments to them, the first one in 2013.
3. As per the ledger account entry by the complainant, there was balance of Rs.8,28,103/-. Since the accused was not coming forward to pay the same for a long time, on much persuasion, the cheque in question dated 12th July 2023 was issued, which was dishonoured on presentation.
4. Counsel for the petitioner states that while the complaint is addressed to M/s. Shivalik Furnishers through its proprietor, the cheque in question



was issued by M/s. Shivalik Furnishers, which is a partnership firm. Counsel for petitioner further submits that the cheque in question was given in blank with an understanding that the same will be presented only after intimation.

5. Post a perusal of complaint, this Court does not find any reason to interfere in the proceedings, considering that it is admitted by petitioner that cheque in question was issued by them.

6. Considering that the matter arose out of business transactions, in the event parties are ready to explore an amicable settlement, they are at liberty to approach Delhi High Court Mediation & Conciliation Centre for the same.

7. The petition is dismissed along with pending applications.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 21, 2024/sm