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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8412/2024 & CRL.M.A. 32133/2024**

USHA SHARMAPetitioner
Through: Mr. Sumit Kumar with
Mr. Rahul Mehra, Advs.

versus

M/S M S INDIARespondent
Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
% **24.10.2024**
CRL.M.A. 32134/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 8412/2024 & CRL.M.A. 32133/2024

3. The petitioner seeks quashing of the summoning order dated 29.06.2017, passed by the learned Metropolitan Magistrate (NI Act), Dwarka Courts in complaint case No.12198/2017 titled '*M/s. M.S. India v. M/s. Sharma Kalypso Pvt. Ltd.*' under Section 138 of the Negotiable Instruments Act, 1881 of the Negotiable Instruments Act, 1881.
4. The learned counsel for the petitioner submits that the petitioner is only a housewife. He submits that the operations of the accused company were handled by the other director, who is the petitioner's husband.
5. There is a considerable delay in filing the present petition.
6. On being pointedly asked, the learned counsel for the petitioner submits that the petitioner had been aware of the pendency of the complaint since the year 2019.



7. The trial has since proceeded. Even otherwise, the arguments that the petitioner had no role to play in the functioning of the company is a matter of trial.

8. In view of the above, this Court does not consider it apposite to entertain the present petition.

9. The petition is, therefore, dismissed on the ground of laches.

AMIT MAHAJAN, J

OCTOBER 24, 2024

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