$~39 & 40

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

\+ CRL.M.C. 118/2025, CRL.M.A. 671/2025 (stay)

MS. MANISHA GUPTA .....Petitioner

Through: Mr. Animesh Kumar, Mr. Nishant Kumar, Mr. Sumit Kumar, Ms. Aprajita and Mr. Shikhar Khanna, Advocates.

versus

KOTAK MAHINDRA BANK LTD .....Respondent

Through: Mr. Abhishek Kumar, Advocate.

40

\+ CRL.M.C. 119/2025, CRL.M.A. 673/2025 (stay)

MS. RITU GUPTA .....Petitioner

Through: Mr. Animesh Kumar, Mr. Nishant Kumar, Mr. Sumit Kumar, Ms. Aprajita and Mr. Shikhar Khanna, Advocates.

versus

KOTAK MAHINDRA BANK LTD .....Respondent

Through: Mr. Abhishek Kumar, Advocate.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% 13.01.2025

CRL. M.A.672/2025 (Exemption) & CRL.M.A.674/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.

2. The Applications stand disposed of.

CRL.M.C. 118/2025 & CRL.M.C. 119/2025

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 24/01/2025 at 14:38:25

3. The Petitions under Section 528 of the Bharatiya Nagarik Surkasha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) (*previously Section 482 of the Code of Criminal Procedure, 1973*) has been filed on behalf of the Petitioners, to challenge the Order of summoning under Section 138 of the Negotiable Instruments Act, 1881 (*hereinafter referred to as 'N.I. Act'*) *vide* Order dated 06.06.2024.

4. According to the learned counsel on behalf of the Petitioners, the service was effected on the Petitioner, after which they appeared before the learned Metropolitan Magistrate on 25.10.2024 but they have not been supplied with the copies of the Complaint and the documents.

5. Learned counsel for the Respondent has appeared on advance Notice.

6. It is a summoning Order, which has been challenged for which there is an appropriate remedy before the learned ASJ.

7. The Petitions are disposed of with liberty to the Petitioners, to approach the learned ASJ, in accordance with law.

8. Learned counsel on behalf of the Petitioners, submits that the Petitioners be exempted from appearance before the Trial Court on 14.01.2025 when the matter is listed. The Petitioners are at liberty to move an appropriate Application and seek exemption from the learned Metropolitan Magistrate.

9. The Petitions are disposed of accordingly along with the pending Applications.

NEENA BANSAL KRISHNA, J

JANUARY 13, 2025/RS

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 24/01/2025 at 14:38:25