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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 302/2025 & CRL.M.A. 1553/2025, CRL.M.A. 1595/2025**
RASHID ALIPetitioner

Through: Mr. Kunal Jain, Ms. Shradha
Kushwaha & Ms. Shikha Saxena,
Advs.

versus

RABIARespondent

Through:

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
20.01.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 528 of the BNSS seeks the following prayers:-

“a) set aside/quash the Order of Summons dated 18.03.2024 passed by passed by Mr. Anmol Nohria, MM, N.I.Act, Shahdara, Karkardooma Courts, Delhi in CC NI ACT No. 853/2023 titled as “Rabia vs. Rashid Ali ” whereby the learned MM has passed an order for summons to the accused; AND

b) quash the Criminal Complaint Bearing No. 853 of 2023 titled as "Rabia Versus Rashid Ali", filed under section 138 of the Negotiable Instruments Act, 1881 pending adjudication before Smt. Ashima Lakhanpall, Metropolitan Magistrate (NI Act) Digital Court, Shahdara District, Karkardooma Court, New Delhi; OR

c) pass any other order(s) as deemed fit and proper in the fact and circumstances of the case may kindly be passed in favor of the Petitioner and against the Respondent, in the interest of justice. FOR THIS ACT OF KINDNESS, THE PETITIONER SHALL ALWAYS PRAY.”



3. Learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to agitate all the contentions raised here before the learned Trial Court during the course of trial.
4. Leave and liberty granted.
5. The present petition is dismissed as withdrawn and disposed of accordingly.
6. It is made clear that the contentions of the petitioner have not been considered on merits of the case.
7. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

JANUARY 20, 2025/nk

Click here to check corrigendum, if any