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

+ **CRL.M.C. 1722/2023&CRL.M.A. 6635/2023**

ASHA RANI GUPTA

.....Petitioner

Through: Mr. Pawan Kumar Bahl, Ms. Prakhya
Bahl, Mr. Rohit Kumar, Advs.

versus

RUDRESH PRATAP SINGH

.....Respondent

Through: Mr. Mohit Kumar & Mr. Rohit Taneja
& Ms. Ruchi Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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03.07.2025

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the Cr.P.C. seeks the following prayers: -

- i) To call for the records; and
- ii) To quash the proceedings against the petitioner in complaint case bearing no. 2914/2019, "Rudresh Pratap Singh vs. Santasha real estate pvt. Ltd." Pending in the court of Sh. Yashdeep Chahal, MM-01, NDD, Patiala House courts, New Delhi and iii) To stay the proceeding in the criminal complaint case filed by the complainant in the in the above said matter till the outcome of the present petition
- iv) To pass any other order as deemed fit and proper in the facts of the case. "
- v) Prayed accordingly."

3. Learned counsel for the petitioner submits that the latter was inducted as Additional Director in the accused company, Santasha Real Estate Pvt. Ltd., somewhere in 2011 and *vide* letter dated 01.11.2016, she had submitted her resignation from the position of Additional Director. It is further submitted that Form DIR-12 was also submitted before the Registrar of



Company in which it has been reflected that the present petitioner had resigned from the post of Additional Director in the accused company on 01.11.2016.

4. It is pointed out that the subject cheque was issued on 24.11.2018 and, therefore, the petitioner cannot be held liable for prosecution under Section 138 of the Negotiable Instruments Act, 1881.

5. Learned counsel appearing on behalf of respondent fairly submits that the petitioner had resigned prior to the issuing of the subject cheque in the present case, as mentioned hereinabove, and he has no objection if the present petition is allowed and proceedings pending before the learned Trial Court are quashed *qua* the present petitioner.

6. In view of the above, the present petition is allowed. The proceedings against the present petitioner in complainant case bearing no CT CASE NO 2414/2019 titled as “Rudresh Pratap Singh vs Santasha Real Estate P. Ltd. & Ors” pending before learned Metropolitan Magistrate-01 (JMFC), Patiala House, New Delhi, are quashed *qua* the present petitioner.

7. The present petition is allowed *qua* the present petitioner and the learned Trial Court shall proceed with the aforesaid complaint case *qua* the other accused persons in accordance with law.

8. The petition stands disposed of accordingly.

9. Pending applications, if any, also stand disposed of.

10. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

JULY 3, 2025/nk

AMIT SHARMA, J

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