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

+ CRL.L.P. 264/2022
TRUSTLINE SECURITIES LTD FORMERLY KNOWN
AS K AND A SECURITIEC PVT. LTD.Petitioner
Through: Mr. Deepak Kunwar,
Advocate.

versus

KIRAN POPATLAL KARIYARespondent
Through: Mr. Sarjeet Singh,
Advocate (through VC).

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **20.08.2025**

1. The present leave to appeal is filed under Section 378 of the Code of Criminal Procedure, 1973 ('CrPC') against the order dated 02.09.2021, passed by the learned Metropolitan Magistrate-04 ('MM'), Patiala House Courts, New Delhi in CC No. 18139/2016.
2. The complaint was dismissed and the respondent was acquitted on account of non-appearance of the complainant on 02.09.2021.
3. Undisputedly, there has been some lapse on part of the petitioner. However, it is also true that the impugned order was passed during the period when the Courts had been lenient in regard to the pending proceedings on account of onset of COVID-19.
4. In the opinion of this Court, one last opportunity ought to be granted to the petitioner to pursue his complaint on adequately compensating the respondent.



5. In view of the above, impugned order dated 02.09.2021 is set aside and the complaint is restored to its original number on the petitioner paying a cost of ₹30,000/- to the respondent.
6. List before the learned Trial Court for further proceedings on 26.09.2025.
7. The learned Trial Court is directed to issue fresh notice to the respondent before proceeding further in the matter.
8. The proof of payment of cost shall be filed before the learned Trial Court.
9. The order be communicated to the concerned Principal District & Sessions Judge for compliance and listing before the concerned Court.

AMIT MAHAJAN, J

AUGUST 20, 2025

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