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

+ **W.P.(CRL) 1840/2023**

ANAND SONBHADRA

.....Petitioner

Through: Ms. Damini Srestha, Mr. Amar Vivek, Mr. Aditya Gauri, Mr. Anant Jain and Mr. Aryan Chhabra, Advocates.

versus

CORPORATION BANK

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

14.10.2025

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1. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 assails arrest warrant issued against the Petitioner on 24th March, 2023, in case CT-10358/2018 titled *Corporation Bank v Vijay Kumar Tyagi*.
2. The Petitioner was appointed as the Resolution Professional in the insolvency proceedings initiated against the accused company, namely *Shubhkamna Buildtech Private Limited*. In that capacity, the Petitioner was summoned as a witness in a complaint filed by the Respondent under Section 138 of the Negotiable Instruments Act, 1881. However, due to the Petitioner's failure to attend the hearing, warrants of arrest were issued, thereby compelling the Petitioner to approach this Court.
3. Counsel for the Petitioner submits that the resolution plan was



approved by the Adjudicating Authority *vide* order dated 12th September, 2022, and pursuant thereto, the Petitioner, in his capacity as the Resolution Professional, has handed over all records and properties of the corporate debtor to the successful resolution applicant to ensure smooth implementation of the approved resolution plan. It is, therefore, submitted that the Petitioner has become *functus officio* in respect of the corporate debtor and therefore, warrants of arrest ought not to have been issued against him.

4. Notice was duly served on the Respondent, however, they have not appeared to contest the proceedings.

5. In light of the above, the present petition is disposed of with a direction that the impugned warrants of arrest dated 24th March, 2023, issued against the Petitioner in case CT-10358/2018, stand quashed.

SANJEEV NARULA, J

OCTOBER 14, 2025

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