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

+ CRL.M.C. 3065/2022 & CRL.M.A. 12910/2022,
CRL.M.A. 12912/2022, CRL.M.A. 13829/2025
NARENDER KUMAR@BILLUPetitioner
Through: Mr. Lalit Kumar and Ms.
Sonali, Advocates.

versus

VINOD KUMARRespondent
Through: Mr. Daksh Sharma,
Advocate.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **22.09.2025**

1. The present petition is filed challenging the order dated 27.09.2021, passed by the learned Metropolitan Magistrate, South West, Dwarka Courts, New Delhi in CC NI Act 11848/2021.
2. It is undisputed that the subject cheque was dishonoured on 06.01.2021 and the statutory notice was issued on 23.03.2021, the same was thus admittedly not issued within a period of 30 days as provided in Section 138 of the Negotiable Instruments Act, 1881 ('NI Act').
3. The complaint was though filed within 45 days of the issuance of notice i.e., on 07.05.2021, it is the grievance of the petitioner that the statutory notice was not issued during the prescribed period and no delay could have been condoned in that regard.
4. The Hon'ble Apex Court by order dated 10.01.2022 in **Re: Cognizance for Extension of Limitation** specifically clarified



that the period from 15.03.2020 till 28.02.2022 shall stand excluded from the period while computing the period of limitation prescribed under provisos (b) and (c) of Section 138 of the NI Act.

5. Thus, in the opinion of this Court, the present petition is devoid of merit and is therefore dismissed. Pending applications also stand disposed of.

6. It is made clear that this Court has not commented on the merits of the case in any manner and the present order shall not affect the pending proceedings.

AMIT MAHAJAN, J

SEPTEMBER 22, 2025

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