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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3141/2025 & CRL.M.A. 13836/2025**

NAMITA SHILPI SINHAPetitioner
Through: Mr. Ashish K. Dixit with
Mr. Shivam Tiwari, Advs.

versus

STATE OF NCT OF DELHIRespondent
Through: Mr. Ajay Vikram Singh,
APP for the State.
SI Vijay Kumar, EOW.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
05.05.2025

CRL.M.A. 13835/2025 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 3141/2025 & CRL.M.A. 13836/2025

3. The petitioner challenges the order dated 07.04.2025, pursuant to which the revision petition challenging the order dated 18.04.2024 whereby the petitioner was declared as proclaimed offender, was dismissed.
4. The petitioner and the co-accused Sanjay Sinha were declared as absconders in terms of Section 82 of the Code of Criminal Procedure, 1973 ('CrPC') by the learned Chief Metropolitan Magistrate ('CMM') by order dated 18.04.2024 in FIR No. 81/2021 ('FIR').
5. By order dated 02.12.2024, the Hon'ble Apex Court had granted interim protection to the co-accused Sanjay Sinha, who is the husband of the petitioner. Further, by order dated 24.02.2025,



the Hon'ble Apex Court allowed the Special Leave Petition preferred by co-accused Sanjay Sinha and set aside the order of declaring co-accused Sanjay Sinha as proclaimed person.

6. The learned counsel for the petitioner submits that the petitioner only happens to be wife of co-accused Sanjay Sinha and was not involved in the day to day affairs of the company.

7. Considering that the Hon'ble Apex Court has already set aside the declaration of the petitioner's husband as proclaimed person, I find no reason for continuation of the proceedings under Section 82 of the CrPC against the petitioner.

8. The FIR being FIR No. 81/2021 was registered on a complaint given by one Shweta Sambyal alleging that the petitioner and her husband being directors of M/s Leeway Logistics Limited ('Leeway') along with other directors had approached IFCI Factors Limited ('IFL') in the year 2011 with a request to provide Domestic Sales Bill Discounting Facility to the tune of ₹5 crores. The same was sanctioned by IFL and at the request of Leeway the said limit was enhanced to ₹18 crore. It is stated that in terms of the agreement between the parties, the debtors were required to make payments against the invoices raised by Leeway in favour of IFL. It is alleged that subsequently the debtors repelled to make payments against the invoices raised by Leeway alleging that the same were forged and fabricated. It is alleged that the directors of Leeway submitted forged and false documents to cheat IFL and caused wrongful loss of ₹19,72,25,087 to IFL.

9. The learned counsel for the petitioner submits that even though the husband of the petitioner who was looking after the affairs of the accused company has already joined the



investigation, as noted by the Hon'ble Apex Court, the petitioner would also join as and when called for in future.

10. Considering the above, this Court does not consider it apposite to keep the present proceedings pending or keep the proceedings under Section 82 of the CrPC pending against the petitioner, especially when the Hon'ble Apex Court has already set aside the proceedings under Section 82 of the CrPC against the husband of the petitioner.

11. The petition is, therefore, allowed and the order dated 18.04.2024 passed by learned CMM in FIR No. 81/2021 is set aside.

12. Pending application also stands disposed of.

AMIT MAHAJAN, J

MAY 5, 2025
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