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

+ CRL.M.C. 3320/2025, CRL.M.A. 14575-14576/2025

SIDHANT DHINGRA

.....Petitioner

Through: Mr. Prashant Katara, Mr. Soin Khan
and Mr. Shivam Gupta, Advocates.

versus

M/S AADHUNIK INTERNATIONAL & ORS.

.....Respondent

Through: Appearance not given.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.05.2025

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1. A Petition under Section 528 BNSS has been filed for quashing of Complaint Case bearing CT No.11175/2016 pending in the Court of learned JMFC, New Delhi.

2. It is submitted that the Petitioner who had been claimed to be a Director in the Accused Company Silver Star Fashions Pvt. Ltd. and Others had in fact resigned way back in 2011, while the Complaint under Section 138 read with 141 NI Act pertains to presentation of four cheques in the year 2016. The Petitioner is not liable since he was not the Director on the date of commission of the offence and thus, he is entitled to be discharged. Moreover, even in the Complaint there are no averments against the Petitioner in regard being involved in day to day affairs of the Company. Therefore, the Petition is sought to be quashed against him.

3. **Submissions heard and record perused.**

4. Pertinently, the Complaint was filed by the Respondent On



15.07.2016 and the Petitioner along with other co-accused was summoned vide Order dated 07.09.2016. Pertinently, that Order framing Notice got challenged by way of a Revision before the learned ASJ and the same was allowed and the matter was remanded back to learned M.M. However, subsequently the Notices were framed afresh in which the Petitioner along with other co-accused pleaded not guilty. Application under Section 145 NI Act has also been decided. Now the matter is pending for cross-examination of the witnesses of the Complainant.

5. From the averments made in the Petition and the submissions made, it is evident that the Petitioner had put an appearance in 2016. Framing of Notice got challenged, but was remanded and thereafter the Notice under Section 251 has again been framed at which the date is not mentioned.. The framing of Notice never got challenged by the Petitioner either by way of Revision or by way of any Writ Petition. The summoning of the Petitioner was made in 2016 which has never been questioned. The trial has already commenced. After 10-11 years the Petitioner cannot be permitted to stand here to seek the quashing of the Complaint on the grounds stated therein.

6. Considering the delay and also that the opportunity of challenging the Orders have been availed before learned ASJ, the present Petition is hereby dismissed as having no merit.

7. The Petitioner is at liberty to avail his remedy by way of Revision or as permitted under law.

8. The Petition stands disposed of along with the pending Applications.

NEENA BANSAL KRISHNA, J

MAY 9, 2025/va