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

+ CRL.M.C. 3562/2025 & CRL.M.A. 15699/2025(Stay)

SHRI KUNJ AGENCY ITS MANAGER
/DIRECTOR MOHAN LAL RATHORE

.....Petitioner

Through: Mr. Vipin Chander Pal & Mr. Arvind
Kumar Rai, Advs.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Pradeep Gahlot, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **20.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 15698/2025(Exemption)

2. Allowed, subject to all just exceptions. The application stands disposed of.

CRL.M.C. 3562/2025 & CRL.M.A. 15699/2025(Stay)

3. The present petition under Section 528 of the BNSS seeks the following prayers: -

“a) To Set aside of Order/Judgment dated 01.03.2025 passed by Sh. Pawan Kumar, A.S.J/SPL/FTC/PHC New Delhi., in CRL.PETITION NO.88/25, titled as SHRI KUNJ AGENCY VS. STATE(NCT OF DELHI)AND Respondent No.2 SWAL CORPORATION and also set aside the order dated 13.11.2024 passed by MS. BHARTI BENIWAL LD. J.M.F.C (NI ACT) DIGITAL COURT-01, Patiala House Courts, New Delhi In CC NI ACT 3325/2021 title as “SWAL CORPORATION LIMITED VS. M/S SHRI KUNJ AGENCY” and seeking the direction to the respondent no.2 to provide the correct address of his firm/company and invoices/bills to the petitioner and accepting the Petition to meet the ends of justice.

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b) To set aside the order of dated 13.11.2024 of Application of Section- 311 Cr.P.C and Pass an order to directed to Ld. Trial Court to transfer the case U/S-138 N.I. ACT vide CC N. I ACT NO.3325 /2021, titled as "Swal Corporation Limited Vs. M/S Shri Kunj Agency" from sh. Bharti beniwal LD. N.I. ACT to another Id. Court and Give Relief the petitioner, in the interest of justice.

c) To stay the Order/Judgment dated 01.03.2025 passed by Sh. Pawan Kumar, A.S. J/SPL/FTC/PHC New Delhi., in CRL.PETITION NO.88/25, titled as SHRI KUNJ AGENCY VS. STATE(NCT OF DELHI)AND RESPONDENT NO.2 SWAL CORPORATION and also stay on the order of dated 13.11.2024 of Application of Section- 311 Cr.P.C and Pass an order to directed to Ld. Trial Court to transfer the case U/S-138 N.I. ACT vide CC N. I ACT NO.3325 /2021, titled as "Swal Corporation Limited Vs. M / S Shri Kunj Agency" from sh. Bharti beniwal LD. N.I. ACT.

d) Pass any other reliefs) which this Hon'ble Court may deems fit, just and proper may kindly be passed in favour of the petitioners, in the interest of justice."

4. Learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to initiate appropriate proceedings in accordance with law.
5. Leave and liberty granted.
6. The present petition is dismissed as withdrawn and disposed of accordingly.
7. Pending application, if any, also stands disposed of.

AMIT SHARMA, J

MAY 20, 2025/nk

[Click here to check corrigendum, if any](#)