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

+ **CRL.M.C. 6804/2023& CRL.M.A. 25440/2023**

**BHUPENDRA SINGH**

.....Petitioner

Through: Mr. Gagan Kumar Singhal, Advocate  
(through VC).

versus

**MUKESH KUMAR SHARMA & ANR.**

.....Respondents

Through: Mr. Shivam Kumar, Advocate  
(through VC).

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

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**08.05.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the CrPC seeks the following prayers:-

“i. Pass necessary orders and directions thereby quashing and setting aside of the summoning order dated 02.09.2020 passed in CC No. 1518/2020 by Ld. MM, Anubhav Jain KKD Court, Delhi along with all the proceedings arising and emanation therefrom qua the petitioner.  
ii. Summon the trial court record in CC No. 1518/2020 case titled as Mukesh Kumar Sharma versus Parvinder Kaur & Ors. pending for adjudication in the court of Ld. MM, NI ACT, Shahdara, KKD, Delhi.”

3. Learned counsel appearing on behalf of the petitioner submits that the subject cheque in the present complaint case had been issued on behalf of his wife, i.e., Parvinder Kaur/respondent No.2, and therefore, proceedings *qua* the present petitioner under Section 138 of the Negotiable Instruments Act, 1881, cannot be initiated.
4. Attention of this Court has been drawn to subject cheques bearing Nos.

*This is a digitally signed order.*

*The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.*

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164780 and 164779 both dated 13.06.2020 drawn on The Kangra Co-Operative Bank Ltd. issued by Parvinder Kaur, respondent No.2, from her personal account.

5. Learned counsel enters appearance on behalf of respondent and fairly submits that he has no objection if the present petition is allowed and the impugned summoning order dated 02.09.2020 *qua* the present petitioner is set aside and quashed.

6. In view of the above, the present petition is allowed and the impugned summoning order dated 02.09.2020 passed in CC No. 1518/2020 by learned Metropolitan Magistrate, Karkardooma Courts, Delhi, is quashed *qua* the present petitioner.

7. The present petition is allowed and disposed of accordingly.

8. Pending application(s), if any, also stand disposed of.

9. It is made clear that no observations on merits with regard to the contents of the complaint have been given. Learned Trial Court shall proceed with the trial *qua* other accused person in accordance with law.

10. Copy of this order be sent to the learned Trial Court for necessary information and compliance.

11. Order be uploaded on the website of this Court, *forthwith*.

**AMIT SHARMA, J**

**MAY 08, 2025/sn**

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