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

+ **CRL.M.C. 5162/2025 & CRL.M.A. 22333/2025,**
CRL.M.A. 22334/2025

SH. SANJAY KACKARPetitioner
Through: Mr. Praveen Kumar, Adv.
through V.C.

versus

SHAHI REALTECH PVT. LTD.Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **29.08.2025**

1. The present petition is filed challenging the proceedings in Complaint Case No. 10587/2018 filed by the respondent under Section 138 of the Negotiable Instruments Act, 1881 ('NI Act').
2. The learned counsel for the petitioner, at the outset, submits that this Court by judgment dated 04.10.2024, has already quashed the summoning order passed in complaint case No. 8673/2018 under Section 138 of the NI Act. He submits that it was observed that the petitioner could not have been made vicariously liable for the dishonour of the cheques in question or summoned for the offence committed by the company.
3. He submits that the complaint, which is subject matter of the present petition, relates to a dishonour of another cheque arising out of the same facts. He submits that the judgment is binding on the learned Trial Court.
4. He seeks liberty to withdraw the present petition and raise



the arguments before the learned Trial Court while seeking discharge.

5. The petition is disposed of with the aforesaid liberty.
6. Pending applications also stand disposed of.
7. Needless to say, the petitioner is at liberty to approach this Court in case any grievance remains in future.

AMIT MAHAJAN, J

AUGUST 29, 2025
“SK”