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

+ CRL.M.C. 5295/2025 & CRL.M.A. 22841/2025
SH. SANJAY KACKARPetitioner
Through: Mr. Praveen Kumar and
Mr. Suman Raj,
Advocates.

versus

SHAHI REALTECH PVT. LTDRespondent
Through:

+ CRL.M.C. 5308/2025 & CRL.M.A. Nos. 22873-74/2025
SH. SANJAY KACKARPetitioner
Through: Mr. Praveen Kumar and
Mr. Suman Raj,
Advocates.

versus

SHAHI REALTECH PVT. LTD. & ANR.Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN
ORDER
24.09.2025

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1. The present petitions are filed challenging the proceedings in Complaint Cases No. 9088/2018 and 11746/2018 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 complaints, which are subject matter of the present petitions, relate to dishonour of other cheques arising out of the same facts. He submits that the judgment dated 04.10.2024 is binding on the learned Trial Court.

4. He seeks liberty to withdraw the present petitions and raise all the arguments before the learned Trial Court while seeking discharge.

5. The petitions are 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.

8. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

SEPTEMBER 24, 2025

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