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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 7664/2025 & CRL.M.A. 32062/2025

M/S SHREE BHAGWATI TEXTILES
PROPRIETARY OF RAJESH KUMAR
GUPTA AND SONS HUF

.....Petitioner

Through: Mr. Anuj Aggarwal, Mr.
Mayank Chauhan and Mr.
Prabhav Pachuri, Advs.

versus

STATE OF NCT DELHI & ORS.Respondents

Through: Mr. Raj Kumar, APP for
the State

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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03.11.2025

1. By the present petition, the petitioner has sought the following reliefs :

(a) *issue appropriate directions, by exercising the supervisory jurisdiction of this Hon'ble Court under Section 528 r/w 529 of Bharatiya Nagarik Suraksha Sanhita, 2023 , to the concerned courts of the Learned Metropolitan Magistrates, Tis Hazari courts, Delhi, to ensure the expeditious disposal of all Complaints Case No. 9322/2019 titled as "M/s Shree Bhagwati Textiles Vs. Bela Creation Pvt. Ltd. Ors." Pending before Ld. Ms. Shreya Singh, Metropolitan Magistrate, Tis Hazari Courts, Delhi instituted under Section 138 of the Negotiable Instruments Act, 1881, in a time-bound manner, so as to secure the ends of justice and to prevent the abuse of the process of law by the Respondents 2 to 4/ Accused; and*

(b) *pass such other or further order(s) as may be deemed just and proper by this Hon'ble Court in the facts and circumstances of the present case.*

2. The petitioner is essentially aggrieved that despite the



subject complaint (that is, CC No. 9322/2019) having been filed in the year 2019, the same has not proceeded due to the conduct of the accused / Respondent Nos. 2 to 4.

3. The learned counsel for the petitioner submits that costs imposed on the accused from time to time have also not been paid by the accused and the learned Trial Court has been lenient in granting opportunities to the accused persons. He further submits that the right to cross-examine the complainant should have been closed on account of their conduct.

4. The orders passed by the learned Magistrate from time to time have been placed on record, which indicate that repeated adjournments have been taken by the accused.

5. It is seen that the matter was fixed on 01.08.2025, when one last and final opportunity was granted to the accused to further cross-examine the complainant, on payment of cost already imposed. On the said date, the learned Trial Court also observed that no ground was made out to waive off the cost imposed on the accused. The learned Trial Court then adjourned the matter to 31.10.2025.

6. It is pointed out that on the said date, the learned Presiding Officer was on leave and the matter has now been adjourned to 31.01.2026.

7. Considering that the learned Trial Court has already granted a last and final opportunity to the accused to cross-examine the petitioner, in the opinion of this Court, no order can be passed at this stage.

8. However, considering that the complaint was filed way back in the year 2019 and repeated adjournments have been taken



by the accused without any cause due to which cost has also been imposed, the learned Trial Court is requested not to show unwarranted leniency in the present case hereon and to make an endeavour for expeditious disposal of the complaint case.

9. The present petition is disposed of in the aforesaid terms. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 3, 2025

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