



\$~79 & 80

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

+ **W.P.(CRL) 4036/2024**

TUSHAR PATNI

.....Petitioner

Through: Mr. Alok Kumar Pandey and Ms.
Muskaan Diwan, Advocates.

versus

STATE GOVT. OF NCT OF DELHI & ANR.Respondents

Through: Mr. Anand V. Khatri, ASC for State
with SI Vishal Lamba, PS Mayur
Vihar.

Mr. Sidharth Luthra, Sr. Advocate
with Mr. Nishaank Mattoo, Advocate
for R-2.

80

+ **W.P.(CRL) 4037/2024**

TUSHAR PATNI

.....Petitioner

Through: Mr. Alok Kumar Pandey and Ms.
Muskaan Diwan, Advocates.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Anand V. Khatri, ASC for State
with SI Vishal Lamba, PS Mayur
Vihar.

Mr. Sidharth Luthra, Sr. Advocate
with Mr. Nishaank Mattoo, Advocate
for R-2.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

19.05.2025

%

[Physical Hearing/Hybrid Hearing (as per request)]



CRL.M.A. 38908/2024 (exemption) in W.P.(CRL) 4036/2024
CRL.M.A. 38909/2024 (exemption) in W.P.(CRL) 4037/2024

1. Allowed, subject to all just exceptions.

W.P.(CRL) 4036/2024
W.P.(CRL) 4037/2024

2. The petitioner filed these petitions seeking directions to the learned Trial Magistrate to dispose of the proceedings filed by the petitioner (complainant therein) under Section 138 Negotiable Instruments Act within six months.
3. The petitioner opted not to place on record the order sheets of the Trial Court in order to examine the cause for delay, if at all any. Therefore, vide order dated 27.02.2025, the predecessor bench requisitioned a report from the concerned Principal District & Sessions Judge qua status of the complaint case proceedings. In compliance, a detailed Status Report was submitted by the learned Principal District & Sessions Judge along with report of the learned Trial Court.
4. Additionally, it is submitted by learned counsel for respondent no. 2 that the subject complaint cases were dismissed in default twice and had to be restored through revisional proceedings.
5. On being pointed out the aforesaid, learned counsel for petitioner seeks permission to withdraw both these petitions with the request that the learned Trial Court be directed to dispose of the complaint cases expeditiously.
6. Accordingly, both these petitions are dismissed as withdrawn. Although from the Status Report, it does not appear that the learned Trial



Court is not acting expeditiously, it is requested that the subject complaint cases be disposed of without granting adjournment to either side unless found based on compelling reasons.

GIRISH KATHPALIA, J

MAY 19, 2025/DR

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