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

+ CRL.M.C. 472/2025 & CRL.M.As. 2269/2025, 2270/2025,
2271/2025

ANIL MOHAN WIG

.....Petitioner

Through: Mr. Sarthak Sharma, Advocate
through VC.

versus

M/S BICON HR SOLUTIONS

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.01.2025

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1. The present Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner to quash the Summoning Order dated 20.05.2022 passed in CC No. 1140/2019 for the offences under Section 138 read with Section 142 of the Negotiable Instruments Act, 1881.
2. The record shows that the Summoning Order is of 20.05.2022 and the Petitioner has also moved an Application under Section 258 of the Code of Criminal Procedure, 1973 in CC No. 1140/2019 seeking discharge.
3. On a specific query, it is informed that the said Application for Discharge has been dismissed *vide* Order dated 03.01.2023 of the learned Metropolitan Magistrate.
4. Reliance has been placed on the decision in Catmoss Retail (P) Ltd., In re, 2024 SCC OnLine Del 776 to submit that it has been directed that all the proceedings under Section 138 of the Negotiable Instruments Act, 1881



against the Directors/Corporate Debtor of the Company, which has gone into insolvency/liquidation, be dropped.

5. It is, therefore, submitted that on account of judgment in Catmoss Retail (P) Ltd., (supra), the present proceedings under Section 138 of the Negotiable Instruments Act, 1881 against the Petitioner are liable to be dismissed.

6. Considering the submissions made, the Petitioner is at liberty to move an appropriate Application for dropping of the proceedings against him for his discharge, in light of the Judgment in Catmoss Retail (P) Ltd., (supra) before the learned Trial Court, which shall consider the same in accordance with law.

7. Accordingly, the present Petition along with pending Applications is disposed of.

NEENA BANSAL KRISHNA, J

JANUARY 24, 2025

S.Sharma