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

+ CRL.M.C. 5390/2025 and CRL.M.A. 23200/2025, CRL.M.A.
23201/2025

CHANDRA MOHAN KUMAR

.....Petitioner

Through: Mr. Amit Kumar Mishra, Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

08.08.2025

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1. Petition herein is styled under Section 482 of Cr.P.C. though the same stands repealed and thus, ought to have been filed under Section 528 of the BNSS, 2023 seeking quashing of summoning order dated 20.09.2019 *vide* which petitioner has been summoned to stand trial for offence under Section 138 of the Negotiable Instrument Act, 1881.
2. At the outset, learned counsel for respondent no. 1 has drawn my attention that the order has been challenged highly belatedly as the same is dated 20.09.2019.
3. Be that as it may, even otherwise, I am of the view that that the petitioner ought to have approached the competent court of learned Sessions Judge under Section 438 of BNSS, 2023 instead of filing the instant petition.
4. Accordingly, the same is dismissed with liberty to the petitioner to



avail his alternative remedy as above in accordance with law, subject to meeting the objection of limitation as raised by learned counsel for respondent no. 1.

ARUN MONGA, J

AUGUST 8, 2025
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