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

+ CRL.M.C. 1639/2017, CRL.M.A. 6656/2017

RAJANI SUBHIAHA SHETTY

.....Petitioner

Through: Ms. Swati Bhashan Sharma,
Advocate.

versus

RELIGARE FINVEST LTD & ORS

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

06.05.2025

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1. A Petition under Section 482 Cr.P.C has been filed on behalf of the Petitioner for quashing of the Summoning Order dated 01.06.2016 in Criminal Complaint No.4991214/2016 under Section 138 N.I Act.

2. It is submitted in the Petition that she was a Director in the Respondent No.2 Company from 10.11.2005 to 09.10.2014. She resigned from the Directorship of the Respondent No.2 Company on 09.10.2014 and since then she has not been involved in the business activities of the Company.

3. It is asserted that Respondent No.2 Company had availed loan facility for a sum of Rs.50 lakhs under the category of small and medium Enterprises and the Petitioner had signed the Loan Agreement on behalf of Respondent No.2 and other documents pertaining to the said Loan

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Agreement. Suddenly in the month of January, 2017 the Petitioner received the summons in the Complaint Case under Section 138 N.I Act.

4. It is submitted that since the Petitioner had resigned from the Respondent No.2 Company in 2014, the averments made in the Complaint that the Petitioner was the Director and Authorized Signatory of the Respondent No.2 Company, is incorrect. It is, therefore, submitted that the impugned Summoning Order against the Petitioner be set aside.

5. None is present on behalf of the Respondent.

6. **Submissions heard and record perused.**

7. The impugned Cheque dated 25.02.2016 is admittedly signed by the Petitioner. It is her claim that she had tendered her resignation on 09.10.2014, but considering that the Cheque bears her signatures, the Petitioner is required to prove by cogent evidence that she was not In-charge and responsible for the affairs of the Company on the date of issue of the Cheque.

8. There is not merit in the present Petition, which is hereby dismissed.

9. The Petition stand disposed of along with the pending Application(s).

NEENA BANSAL KRISHNA, J

MAY 6, 2025/va