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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2444/2026
AANCHAL TIWARIPetitioner
Through: Counsel (appearance not given).

versus

M/S TIRUPATI STRUCTURALS LTD.Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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01.04.2026

The present matter has been received by way of supplementary listing, having been mentioned to Hon'ble the Chief Justice.

CRL.M.A. 9963/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 2444/2026 & CRL.M.A. 9962/2026 (stay)

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner *inter-alia* impugns order dated 28.03.2026 passed by the learned JMFC, Mahila Court-01, East District, Karkardooma Courts, Delhi in Ct Cases No.3949/2019, whereby in view of what has been narrated in that order, bailable warrants in the sum of Rs. 15,000/- with 01 surety in the like amount have been issued against the petitioner, who is accused No.3 in the criminal complaint filed under section 138 of the Negotiable Instruments Act, 1881 ('NI Act') before that court.



2. The court has heard learned counsel for the petitioner. The gist of the petitioner's grievance is that after she learned of the pending proceedings in December 2024, the petitioner has made multiple attempts to appear before the learned Magistrate, however for one reason or the other, it has not been possible for her to appear before the Magistrate and furnish the bail bond and surety.
3. Though much has been argued on her behalf, that the petitioner had no knowledge of the pendency of the proceedings in the criminal complaint filed in 2019 prior to December 2024, this court does not wish to delve any further into that aspect.
4. It is disappointing to note however, that having had knowledge of the pendency of the proceedings *at least* since December 2024, the petitioner has taken no proactive steps to either enter appearance before the learned Magistrate; or to seek an alternate date, if on a given date the learned Magistrate was on leave or the petitioner's surety was not available.
5. Be that as it may, the position that obtains today, is that the learned Magistrate has issued bailable warrants against the petitioner in the sum of Rs. 15,000/-, with a direction that the petitioner should appear before that court on the next date of hearing *i.e.*, 02.04.2026. The learned Magistrate has further observed, that if the petitioner fails to appear physically on that date, non-bailable warrants would be issued against her.
6. The learned Magistrate has also observed that the petitioner appears to be delaying the proceedings in the matter.



7. Counsel submits, that the petitioner is ordinarily a resident of Jabalpur, Madhya Pradesh; and therefore, will not be able to appear before the learned Magistrate tomorrow *i.e.*, 02.04.2026.
8. He further submits, that in view of the provision of section 530 of the BNSS; and in view of the Project Implementation Guidelines issued in 2020 by the Delhi High Court for Digital NI Act Courts in Delhi, proceedings under the NI Act, including proceedings at the stage of framing of notice, can well be conducted *via* video-conferencing.
9. Be that as it may, this court is of the view that it is available to the petitioner to move an appropriate application before the learned Magistrate to seek appropriate relief *after* she enters appearance; and after she furnishes requisite bail bond.
10. That said, in view of the difficulty expressed on behalf of the petitioner as to her inability to appear before the learned Magistrate on 02.04.2026, it is directed that the petitioner shall appear before the learned Magistrate *on 21.04.2026*; and *subject to* that, no adverse action shall be taken against the petitioner by the learned Magistrate.
11. The date of 02.04.2026 given by the learned Magistrate shall stand cancelled.
12. The bailable warrants issued against the petitioner *vidé* order dated 28.03.2026 are also cancelled.
13. The petition is disposed-of in the above terms.
14. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 1, 2026/V.Rawat