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

+ **CRL.M.C. 2955/2026**

CANNON INDUSTRIES PRIVATE LIMITED AND ORS.

.....Petitioners

Through: Counsel (appearance not given).

versus

HAZOORILAL AND SONS JEWELLERS PRIVATE LIMITED

.....Respondent

Through: Ms. Devna Soni and Mr. Viren Bansal, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **20.04.2026**

CRL.M.A. 12016/2026 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.M.C. 2955/2026 & CRL.M.A. 12015/2026 (stay)

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioners impugn order dated 08.10.2025 in CC NI Act No. 11991/2025 whereby the learned Magistrate has issued summons to the petitioners in case under section 138 of the Negotiable Instruments Act 1881.

2. At the outset Ms. Devna Soni, learned counsel for the respondent submits, that the petitioner has a remedy under section 438 of the



BNSS, which are revisional proceedings, before the learned Sessions Court and the present petition under section 528 of the BNSS is not maintainable.

3. In view of the above, learned counsel for the petitioner seeks leave to withdraw the present petition, with liberty to file for appropriate relief, as is permissible, in accordance with law.
4. The present petition is disposed-of as withdrawn, with liberty as prayed-for.
5. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 20, 2026/hb