



\$~19, 20, 21 & 22

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

+ CRL.M.C. 4426/2023 & CRL.M.A. 16981/2023

PRABHA SHANKAR SINGH

.....Petitioner

Through: Mr. Ajit Kumar, Mr. Shivam Singh,
Mr. Utk,arsh, Mr. Ravi Kumar Ms.
Nutan Kumari, Advocates

versus

SUMIT GARG

.....Respondent

Through: Mr. Vinod Sharma and Mr. Piyush
Goel, Advocates

+ CRL.M.C. 4456/2023& CRL.M.A. 17074/2023

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Through: Mr. Ajit Kumar, Mr. Shivam Singh,
Mr. Utk,arsh, Mr. Ravi Kumar Ms.
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Goel, Advocates

+ CRL.M.C. 4457/2023&CRL.M.A. 17076/2023

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Through: Mr. Ajit Kumar, Mr. Shivam Singh,
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Through: Mr. Vinod Sharma and Mr. Piyush
Goel, Advocates



+ CRL.M.C. 4453/2023& CRL.M.A. 17065/2023

PRABHA SHANKAR SINGH

.....Petitioner

Through: Mr. Ajit Kumar, Mr. Shivam Singh,
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Nutan Kumari, Advocates

versus

SUMIT GARG

.....Respondent

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Goel, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

10.02.2026

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1. All the four connected petitions raise issue, which is same and similar.
2. The petitioner, who has been summoned to face criminal complaint filed under Section 138 of Negotiable Instruments Act, 1881, assails the summoning order. According to him, the order is bad in law as he was never 'active Director' of the accused company i.e. M/s Delhi Infratech Limited.
3. Copy of the complaint has also been annexed with the petition which indicates that the complaint is against accused company and its four Directors and there is a specific allegation that all such Directors, including the petitioner herein, are actively participating in the affairs of the accused company.
4. After hearing arguments for some time, learned counsel for petitioner, without prejudice to his rights and contentions, does not press the aforesaid four petitions. He states that he would raise all the contentions, which he has raised herein before the learned Trial Court, at appropriate stage. He also



submits that since the identity of the petitioner herein i.e. Mr. Prabha Shankar Singh is not disputed, he would also move an application before the learned Trial Court, seeking his exemption from personal appearance through counsel.

5. Learned counsel for respondent/complainant Mr. Sumit Garg appears through *videoconferencing* and submits that let appropriate order be passed in view of the aforesaid statement made by learned counsel for petitioner.

6. In view of the above, all the four petitions are hereby disposed of, as not pressed.

7. All rights and contentions of the parties are, however, reserved.

8. Petitioner would be at liberty to agitate all the contentions taken in the present petitions before the learned Trial Court, at appropriate stage.

9. Petitioner would also be at liberty to move appropriate application(s) seeking exemption from personal appearance through counsel and as and when any such application is moved, learned Trial Court, after giving due opportunity of hearing, to both the sides, shall dispose of such application in accordance with law.

10. All four petitions stand disposed of in aforesaid terms.

11. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

FEBRUARY 10, 2026/dr/pb