

CR No. 287/26
ITE India Private Limited Vs. M/s. Barka Foods & Ors.

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21.05.2026

Fresh revision received by way of assignment. It be checked and registered.

Present: Shri Sarthak Sharma, Ld. Counsel for revisionist.

The revisionist is aggrieved with the order dated 24.04.2026, whereby his complaint u/s 138 NI Act was dismissed by Ld. Trial Court for non prosecution.

Since, the said dismissal took place post summoning of accused, therefore, in considered view of this Court, a criminal appeal in terms of proviso to Section 413 BNSS is the appropriate remedy for challenging the impugned order instead of a revision.

At this stage, Ld. Counsel seeks to withdraw the present petition, with liberty to file appeal in terms of aforesaid observation of this Court.

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In view thereof, the present revision petition stands disposed off as withdrawn with aforesaid liberty.

Revision file be consigned to Record Room.

**(Anuj Agrawal)
ASJ-03 (South East)
Saket Courts, Delhi/21.05.2026**