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

+ **CRL.M.C. 320/2026**

JOHNSON K.A

.....Petitioner

Through: Mr. Pramod K. Dubey and Mr. Mohit Mathur, Sr. Advocates with Mr. Anirban Bhattacharya, Ms. Priya Singh, Mr. Manav Goyal, Ms. Pallavi Garg, Ms. Ritika, Ms. Amrita Sony, Mr. Abhishek Jaiswal, Ms. Aparna Iyer, Ms. Aastha Arora, Mr. Sanchit Aggarwal, Mr. Priyanshu Raj and Ms. Anushka Koushika, Advocates

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Jain, Sr. Advocate Mr. Nishank Tripathi, Mr. Harshita Sukhija, Mr. Rishika Agarwal, Ms. Priya Tyagi and Mr. Sarfaraz Ahmad, Advocates for Delhi Police  
Mr. Vikas Pahwa, Mr. Manu Sharma and Mr. Rajiv Nayar, Sr. Advocates with Mr. Annirudh Sharma, Mr. Sidhant Kumar, Mr. Om Batra, Ms. Devika Mohan, Ms. Manyaa Chandok, Mr. Parth Yadav, Mr. Abyuday Sharma and Mr. Jasmeet, Advocates for R-2 & R-3.  
Inspector Anand Pratap Singh, PS EOW

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+ **CRL.M.C. 321/2026**

ACHAL KUMAR JINDAL

.....Petitioner

Through: Mr. Mahesh Jethmalani and Mr.



Sudhir Nandrajog, Sr. Advocates with  
Mr. Apoorv Agarwal, Mr. Ravi  
Sharma, Mr. Manav Goyal, Mr.  
Abhishek Jaiswal, Ms. Aparna Iyer,  
Mr. Gaurav Sarkar, Mr. Siddharth  
Handa, Ms. Anjani Kumar Rai, Mr.  
Praful Kumar and Ms. Ankita Singh,  
Advocates

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Jain, Sr. Advocate Mr.  
Nishank Tripathi, Mr. Harshita  
Sukhija, Mr. Rishika Agarwal, Ms.  
Priya Tyagi and Mr. Sarfaraz Ahmad,  
Advocates for Delhi Police.  
Mr. Vikas Pahwa, Mr. Manu Sharma  
and Mr. Rajiv Nayar, Sr. Advocates  
with Mr. Annirudh Sharma, Mr.  
Sidhant Kumar, Mr. Om Batra, Ms.  
Devika Mohan, Ms. Manyaa  
Chandok, Mr. Parth Yadav, Mr.  
Abyuday Sharma and Mr. Jasmeet,  
Advocates for R-2 & R-3.  
Inspector Anand Pratap Singh, PS  
EOW

**CORAM:**

**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**

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**15.01.2026**

**CRL.M.A. 1208/2026 (exemption) in CRL.M.C. 320/2026**

**CRL.M.A. 1210/2026 (exemption) in CRL.M.C. 321/2026**

1. Allowed, subject to all just exceptions.

**CRL.M.C. 320/2026 & CRL.M.A. 1207/2026 (stay)**

**CRL.M.C. 321/2026 & CRL.M.A. 1209/2026 (stay)**

2. Petitioners/accused seek quashing of case FIR No. 142/2025 of Police



Station EOW for offence under Section 420/409/120B IPC.

3. Broadly speaking, the impugned FIR is assailed on the ground that earlier on same facts, another FIR was registered which is pending investigation; that the impugned FIR is an exercise in *mala fide* because the complainant *de facto* failed in managing to take over control of the subject company; that in the absence of the company being an accused and there being no recognition of the concept of vicarious liability in criminal law, the petitioners/accused cannot be proceeded against.

4. Today, learned counsel for petitioners opened the arguments, taking me through different orders, including those passed by the NCLT (*pdf 108-109 & 120*), NCLAT, the learned Single Judge of this Court, the Division Bench of this Court and ultimately the Hon'ble Supreme Court (*pdf 637*).

5. Learned Special Counsel on behalf of EOW (*respondent no. 1*) and learned senior counsel for private respondents accept notice and strongly oppose the petitions.

6. Due to paucity of time and pending board, arguments cannot be concluded today and the matters have to be deferred. Therefore, respondents may file reply/written submissions, if so desired.

7. Relist on 16.01.2026 as Item No. 1 in Advance List.

8. On instructions, learned senior counsel for petitioners assures that the petitioners shall join investigation as and when directed in writing by the IO.

**GIRISH KATHPALIA, J**

**JANUARY 15, 2026**

**'rs'**