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

+ **W.P.(CRL) 195/2026 & CRL.M.A. 1841/2026**

VIVEK WALIA

.....Petitioner

versus

DHARAMSHEELA YADAV & ORS.

.....Respondents

+ **W.P.(CRL) 196/2026 & CRL.M.A. 1843/2026**

VIVEK WALIA

.....Petitioner

versus

AZAZ AHMAD & ORS.

.....Respondents

+ **W.P.(CRL) 197/2026 & CRL.M.A. 1845/2026**

VIVEK WALIA

.....Petitioner

versus

MOHAN DUTT PANDEY & ORS.

.....Respondents

Appearance:

Mr. Ajay Choudhary, Mr. Sandeep Shokeen, Mr. Jayant Tewathia, Mr. Madhav Choudhary, Advocates for petitioner.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **19.01.2026**

CRL.M.A. 1840/2026, CRL.M.A. 1842/2026, CRL.M.A. 1844/2026
(for exemption)

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

W.P.(CRL) 195/2026 & CRL.M.A. 1841/2026

W.P.(CRL) 196/2026 & CRL.M.A. 1843/2026

W.P.(CRL) 197/2026 & CRL.M.A. 1845/2026

1. Issue notice. Notice be served upon the respondents through learned counsel appearing on their behalf before the Court of



Metropolitan Magistrate, District South, Saket, Delhi [“Magistrate’s Court”].

2. The petitioner assails the summoning orders passed by the Magistrate’s Court on 06.03.2020 and 15.07.2020 in the captioned proceedings under Section 138 of the Negotiable Instruments Act, 1881 [“NI Act”], as well as the orders dated 10.12.2025 passed by the Additional Sessions Judge (Fast Track Courts), District South, Saket Courts [“Sessions Court”], whereby the criminal revision petitions preferred by the petitioner were dismissed.

3. Mr. Ajay Choudhary, learned counsel for the petitioner, states that there were twenty substantially identical complaints in which summons were issued against the petitioner by the learned Magistrate. The petitioner is a Director of respondent No.2 - NMM Producer Company Limited, on whose account the cheques were drawn. The cheques in question were drawn on the account of the company, and five of its directors were arrayed as respondents, including the present petitioner. He preferred revision petitions in all the 20 cases, out of which 12 remain pending. In the three impugned orders, the learned Sessions Court has rejected the revision petitions, but in five other cases, the learned Sessions Court has allowed his revision petitions and quashed the proceedings, which had been instituted on substantially similar allegations.

4. In these circumstances, there appears to be a conflict of decisions between two learned Sessions Judges.

5. I have also perused the complaints filed in these cases. The present petitioner is not a signatory to any of the cheques in question.



6. As far as the present petitioner is concerned [respondent No.6 before the learned Magistrate], the only averments against him are as follows:

“3. That the Respondent No. 2 to 6 are the Directors of the Respondent No. 1 and the Authorised Signatories as well thereof and have also been-dealing with the public for and on behalf of the said Respondent No.1 Company.

xxx

xxx

xxx

5. That the above said Respondents also advertised their project widely in the Newspapers as well as by way of print media and electronic media and invited various investors and individuals to invest their money in the above said investment plan.

xxx

xxx

xxx

7. That the Respondent no.2 to 6 many times conducts the meetings to convince the Petitioner and other investors.

8. That the Respondent no. 2 to 6 also showed photograph, map & plan of the projects and some tours took to Bali with investors who invested maximum amount in order to convince the Petitioner and other investors. 4 Photograph's of meeting are annexed as ANNEXURE No.4.”

7. Having regard to the above position, and to the fact that the petitioner has been discharged by the Sessions Court in five similar complaints, the learned Magistrate's Court is directed to defer the proceedings *qua* the present petitioner, until after the next date of hearing before this Court.

8. List on 12.03.2026.

9. A copy of the order be given *dasti* under the signature of the Court Master.

PRATEEK JALAN, J

JANUARY 19, 2026
SS/JM/