



2026-DHC:7467

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 1st September, 2026

CNR No. DLHC010026772024

+ **CRL.M.C. 711/2024 & CRL.M.A. 2854/2024**

UMESH H.VALECHA

.....Petitioner

Through: Mr. Kunal Prakash, Advocate.

versus

THE STATE & ANR.

.....Respondent

Through: Ms. Richa Dhawan, APP for the State.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The point involved in the present petition is a very short one.
2. A complaint has been filed by *M/s Punj Lloyd Ltd.* for commission of offence under Section 138 of *Negotiable Instruments Act, 1881*.
3. The petitioner herein i.e. Umesh H. Valecha is one of the accused in the abovesaid case.
4. When he filed an application before the learned Trial Court seeking permanent exemption from his personal appearance, the Court declined the same, *albeit*, while observing that if for any particular date, there is any reasonable or sufficient ground for exemption, it would be considered on the basis of separate application to be moved in this regard.
5. When the present petition was taken up by this Court on 30.01.2024, it was informed that notice under Section 251 Cr.P.C. had already been served upon the accused persons and the petitioner herein had already instructed his



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lawyer to represent him and to appear before the learned Trial Court on all future dates and that he would not dispute any of the proceedings conducted by the learned Trial Court in his absence. While issuing notice to the opposite side, this Court had also granted exemption from personal appearance to the petitioner subject to the condition that all acts done in his absence would not be disputed by the petitioner.

6. The prime ground coming from the side of the petitioner is to the effect that he is a permanent resident of Mumbai and, therefore, it becomes difficult for him to travel to Delhi, on all such dates.

7. Learned counsel for the petitioner submits that for the last three consecutive dates, there is no appearance from the side of the complainant before the learned Trial Court. He also reiterates that identity of the petitioner is not disputed and he would be duly represented by his counsel on all dates in the abovesaid criminal complaint and would not raise any dispute with respect to the proceedings conducted in his absence.

8. Learned counsel for the petitioner, who has joined the proceedings through *video-conferencing* has also transmitted the copies of last three orders passed by the learned Trial Court.

9. These are directed to be taken on record. These do indicate that there is no appearance from the side of complainant.

10. The exemption, as noticed above, had been granted to the petitioner in the year 2024 and continues to be in operation. The respondent in the present matter is though unserved, there is no point in keeping the present petition pending any further.

11. The petition is, accordingly, disposed of with the direction that the petitioner would be exempted from personal appearance before the learned



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Trial Court subject to the condition that he would not dispute his identity and would always be represented by his counsel and would not dispute any of the proceedings conducted in his absence. It is also however clarified that if for any particular purpose, learned Trial Court directs for his physical appearance before it, the petitioner would ensure that he appears before the learned Trial Court.

12. The present petition is disposed of in aforesaid terms.
13. Pending application also stands disposed of.
14. A copy of this order be sent to learned Trial Court for information.

(MANOJ JAIN)
JUDGE

SEPTEMBER 1, 2026/ss/sk