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

+ **W.P.(CRL) 487/2025 & CRL.M.A. 4313/2025**

AJIT SINGH WARAICH & ORS.Petitioners

Through: Mr. Sudhir Nandrajog, Sr. Adv., Mr. Jeenesh Prakash, Mr. H.S. Bhullar, Mr. Fateh Singh Bhullar, Ms. Ankita Singh, Advs.

versus

UNION OF INDIA THROUGH OFFICE OF REGISTRAR OF COMPANIES, NCT OF DELHI AND HARYANA, MINISTRY OF CORPORATE AFFAIRSRespondent

Through: Ms. Shiva Lakshmi, CGSC, Ms Archana Surve, GP, Mr. Govind Sharma, Mr. Madav Bajaj, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **08.04.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 and 227 of the Constitution of India read with Section 482 of the Cr.P.C. seeks the following prayers: -

“ a) This Hon’ble Court be pleased to issue a Writ of Certiorari or a Writ, direction or order in the nature of Certiorari or any other appropriate Writ, direction or order under Article 226 of the Constitution of India r/w Section 482 of Criminal Procedure Code, 1973 now repealed by the Section 528 of Bharatiya Nagarik Suraksha Sanhita, calling for any records and proceedings pertaining to Complaint bearing CC No. No. 7/2022 filed under Section 447 of the Act before the Hon’ble Additional Sessions Judge and after considering the validity, legality and propriety thereof, quash and set aside the said Complaint bearing CC. No. 7/2022 and as a corollary, the orders passed by the Learned Judge dated 27th April 2023 also deserves to be quashed and set aside.



- b) This Hon'ble Court be pleased to a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India directing the Respondent to forbear from taking any action in pursuance of Complaint bearing CC No. 7/2022;
- c) pending the hearing and final disposal of the Present Petition, this Hon'ble Court be pleased to pass an order and injunction staying the proceedings under Complaint bearing CC No. 7/2022 filed under Section 447 of the Act before the Hon'ble Additional Sessions Judge; and
- d) For ad-interim and interim reliefs in terms of prayer clause (c) above;
- e) For costs;
- f) For such further and other orders as this Hon'ble court may deem fit and proper in the circumstances of the case."

3. Learned Senior counsel appearing on behalf of the petitioners submits that as per the complaint filed by the respondent the cause of action had arisen from 2008-12 and the provision(s) under which the present petitioners are being prosecuted were introduced *vide* the new Companies Act, 2013.

4. In view of the above, it is submitted that the constitutional rights of the petitioner granted under Article 20 (1) of the Constitution of India stands violated.

5. Issue notice.

6. Learned Standing Counsel appearing on behalf of the respondent accepts notice and seeks sometime to file a response. Let the same be done before the next date of hearing with an advance copy to the learned counsel for the petitioners.

7. List on 08.05.2025.

AMIT SHARMA, J

APRIL 8, 2025/kr/Pc

[Click here to check corrigendum, if any](#)