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

+ **CRL.M.C. 78/2019 CRL.M.A. 374/2019 (STAY)**

SUNINDER SANDHA

..... Petitioner

Through: Mr. Raymon Singh, Ms. Shreya Monga, Mr. Arsh, Ms. Meghali Das, Advocates

versus

KANCHHI LAL GUPTA & ORS

..... Respondents

Through: Mr. Chaitanya Sundriyal, Advocate for R-2 and 3

CORAM:

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

ORDER
25.08.2022

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1. The present petition is filed under section 482 Cr. P.C. for quashing of the summoning order dated 03.01.2018 passed by the Metropolitan Magistrate, West District, Tis Hazari Courts, New Delhi in C.C. no.4299/2017 titled as **Kanchhi Lal Gupta V. M/s. Concept Horizon Infra Pvt. Ltd. & Ors.**

2. The petitioner was summoned alongwith respondent nos.2 and 3 for the offence punishable under section 138 of Negotiable Instruments Act,1881 and the respondent no.1 was the original complainant.

3. The counsel for the respondent nos. 2 and 3 stated that he has received the copy of the rejoinder filed by the petitioner only yesterday and seeks short adjournment.



4. The counsel for the petitioner stated that the respondent no.1 who is the complainant, has not filed reply and the respondent no.1 be directed to file the reply.
5. The perusal of the record reflects that none has appeared on behalf of the respondent no.1 after 19.08.2019.
6. Issue Court notice to the respondent no.1 as well as the counsel for the respondent no.1 for appearance.
7. List on 17.11.2022.

SUDHIR KUMAR JAIN, J

AUGUST 25, 2022/j/m