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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2288/2026**
M/S SHANTI REFRIGERATION IND. PVT.LTD.

.....Petitioner

Through: Mr. Lalit Kumar and Ms. Manisha
Ranjan, Advocates.

versus

M/S RAJASTHAN METALS & ANR.Respondents

Through: Ms. Sougata Ganguly, Mr. Deepak K
Bansal, Mr. Rukban Tyagi and Ms.
Yogita Bansal, Advocates.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **27.03.2026**

CRL.M.A. 9335/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.M.A. 9336/2026 (condonation of 04 days' delay in re-filing)

For the reasons stated in the application, which is duly
supported by affidavit, the delay is condoned.

2. The application is allowed and disposed-of.

CRL.M.C. 2288/2026 & CRL.M.A. 9334/2026 (stay)

3. By way of the present petition filed under section 528 of the Bharatiya
Nagarik Suraksha Sanhita 2023, the petitioner impugns the
proceedings in Criminal Complaint bearing No. 16395/2019 filed
under sections 138/141 of Negotiable Instruments Act, 1881('NI
Act') pending before the learned Judicial Magistrate First Class
('JMFC') (NI Act)- 1, Patiala House Court, New Delhi.



4. Mr. Lalit Kumar, learned counsel for the petitioner submits, that the parties had already entered into a Memorandum of Settlement dated 04.06.2020, in relation to the debt concerning which the subject cheque was issued and as a result the dispute arising from the subject cheque stood resolved and closed.
5. Learned counsel submits, that the settlement related to several cheques amounting to Rs. 2.11 crores that had been issued by the respondent to the petitioner and that under the said settlement, the respondents have already received a total sum of Rs. 50 lacs.
6. Learned counsel is present on behalf of respondents on advance copy; and informs the court that having sought to settle the amounts due under the said cheques, the petitioner did not honour the settlement in its entirety and accordingly the entire sum of Rs. 2.11 crore has not been paid.
7. Counsel informs the court that the proceedings in the Criminal complainant pending before the learned JMFC are at the stage of defence evidence and are listed for that purpose on 02.05.2026.
8. In the aforesaid circumstances, this court is not inclined to entertain the present petition since the proceedings pending before the learned trial court are now at the stage of defence evidence.
9. The petition is accordingly disposed-of at the stage of issuance of notice.
10. It is made clear that this court has not expressed any view on the merits of this matter.

ANUP JAIRAM BHAMBHANI, J

MARCH 27, 2026/hb