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

+ **CRL.M.C. 2959/2025**

DEVENDER KUMAR

.....Petitioner

Through: Mr. Rajat Wadhwa, Mr. Dhruv
Kumar, Mr. Gurpreet Singh,
Ms. Umang Varshney & Mr.
Manish Kumar, Advs.

versus

M/S LEASEPLAN INDIA PRIVATE LIMITED & ORS.

.....Respondents

Through: Nemo.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **01.05.2025**

CRL.M.A. 13170/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 2959/2025, CRL.M.A. 13169/2025

3. This is a petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking quashing of the summoning Order dated 25.05.2023 and recall of the notice dated 06.03.2024 under Section 251 of the Cr.P.C framed by the learned Metropolitan Magistrate (NI Act)-02, Patiala House Court, New Delhi against the petitioner.



4. The learned counsel for the petitioner submits that both the Impugned Orders have been passed by the learned Trial Court without application of mind. He submits that a complaint was filed under the provisions of Section 25 read with Section 27 of the Payment and Settlement Systems Act, 2007 whereas *vide* the impugned order, the petitioner has been summoned under Section 138 of the Negotiable Instrument Act, 1881 and more so, in the notice which has been framed under Section 251 Cr.P.C., neither the offence nor the statute pertaining to the alleged offence is disclosed. He submits that both the orders blatantly illegal.

5. Issue notice.

6. Upon necessary steps being taken by the petitioner, let notice be served upon the respondent through all permissible modes, returnable on 27.08.2025.

7. In view of above, the proceedings before the learned Trial Court are stayed till the next date of hearing.

SHALINDER KAUR, J

MAY 1, 2025/ab

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