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

+ **CRL.M.C. 3940/2024**

ASHOK KUMAR

..... Petitioner

Through: Mr. Vaibhav Sethi, Ms. Roma Bedi,
Advocates.

versus

STATE AND ANR

..... Respondents

Through: Mr. Amit Ahlawat, APP for the State.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **20.05.2024**

CRL.M.A. 15031/2024 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 3940/2024 & CRL.M.A. 15030/2024 (Stay)

3. The present petition under Section 482 of the Cr.P.C. read with Article 227 of the Constitution of India seeks the following prayers:

“A. Allow the instant Petition and set aside of the order dated 17.05.2016 passed by Ms. Meenu Kaushik, Ld. MM, North West District, Rohini courts in Criminal Complaint bearing no. 14462/16 titled as “M/s Buxam Investment & Finance Ltd. vs. M/s Kassa Finvest Pvt. Ltd.”

B. Quash the Criminal Complaint bearing no. 14462/16 titled as “M/s Buxam Investment & Finance Ltd. Vs. M/s Kassa Finvest Pvt. Ltd.” pending before Ms. Shivangi Vyas, Ld. MM, North-West District, Rohini Courts, Delhi;”

4. Learned counsel appearing on behalf of the petitioner submits that in



the previous petition filed on behalf of the latter, i.e., WP (CRL) 1307/2018, the proceedings before the Learned Trial Court was stayed *vide* order dated 01.05.2018 by a Coordinate Bench of this Court. Subsequently, it is pointed out that the said petition was withdrawn on account of technicalities with liberty to file a fresh petition *vide* order dated 09.02.2024.

5. Learned counsel for the petitioner submits that the cheques were dishonoured due to reasons beyond the control of the petitioner, since the accounts of M/s Kassa Finvest Pvt. Ltd. were blocked/frozen by an order of SEBI and EOW even before the aforesaid cheque was presented by the complainant/respondent no. 2.

6. On petitioner taking necessary steps, issue notice to respondent no. 2 through all permissible modes, including electronic mail, if any, returnable on 12.08.2024.

7. In the meantime, the proceedings before the Learned Trial Court shall remain stayed *qua* the present petitioner, till the next date of hearing.

8. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MAY 20, 2024/ab

Click here to check corrigendum, if any