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

+ **CRL.M.C. 3432/2025**

NIAMAT MILK PRODUCTS
& ORS.

.....Petitioners
Through: Mr. Kuldeep Singh
Grewal, Adv.

versus

STATE OF GOVT OF NCT OF
DELHI & ANR.

.....Respondents
Through: Ms. Kiran Bairwa, APP
for the State

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
16.05.2025

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CRL.M.A. 15155/2025 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 3432/2025 & CRL.M.A. 15154/2025

3. The petitioner challenges the summoning order dated 30.01.2023 passed by the learned Metropolitan Magistrate in case bearing no. 55 CC NI ACT 14730/2022, filed by Respondent No. 2 under Section 138 of the Negotiable Instruments Act, 1881 ('NI Act').
4. The learned counsel for the petitioner submits that the complaint was barred by limitation. He submits that the complaint was also not accompanied with any application under Section 142(1)(b) of the NI Act for condonation of delay in filing the complaint.

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5. He submits that the learned Trial Court has erroneously recorded that the complaint was filed on 04.10.2022 whereas the



record as annexed in the ~~petition~~ clearly indicates that the complaint was filed for the first time on 26.11.2022. He submits that the subject cheque was allegedly dishonoured on 16.07.2022 and the legal notice, even as per the complaint, was issued on 29.08.2022, making the complaint barred by limitation.

6. Issue notice.
7. Notice be served through all permissible modes.
8. List on 09.09.2025.

AMIT MAHAJAN, J

MAY 16, 2025

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