



\$~30

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

+ CRL.M.C. 3770/2019 & CRL.M.A. 32609/2019

M/S KMG ATOZ SYSTEMS PVT. LTD. & ORSPetitioners

Through: Mr. Rajesh Sharda, Ms. Shweta Verma and Mr. Aditya Rai, Advocates.

versus

ANIL AGGARWALRespondent

Through: Mr. Vivek Singh, Mr. Onkar Nath and Mr. Anuj, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

08.12.2025

%

CRL.M.A. 35327/2024 (Seeking deletion of Petitioner No. 1 from the array of parties)

1. The above-captioned petition is directed against order dated 30th May, 2019 passed by the ASJ in Criminal Revision No. 444/2018, whereby the revision petition filed by the Respondent was allowed, setting aside order dated 16th June, 2018 of the Trial Court discharging the Petitioners of the offences under Sections 138 and 141 of the Negotiable Instruments Act, 1881.
2. By way of this application, the Petitioners seek deletion of Petitioner No. 1 from the array of parties. It is submitted that Petitioner No. 1 Company has already been liquidated pursuant to an order dated 13th May,



2021 passed by the National Company Law Tribunal, and therefore the proceedings arising from the complaint, which are now pending before this Court, cannot be continued against the said Company.

3. In response, counsel for the Respondent/Complainant, on instructions, states that the Complainant does not wish to pursue the complaint and the proceedings emanating therefrom against Petitioner No. 1 Company.

4. In light of the foregoing, the application is allowed and Petitioner No. 1 is deleted from the arena of parties for all purposes.

CRL.M.C. 3770/2019

5. In light of the above, the Court has queried counsel for the Respondent/Complainant as to whether the proceedings can continue against the remaining Petitioners, who are sought to be implicated only on the basis of vicarious liability under Section 141 of the NI Act.

6. Counsel for the Respondent states that he will examine the legal position and address the Court on the next date of hearing.

7. Re-notify on 20th February, 2026.

SANJEEV NARULA, J

DECEMBER 8, 2025/MK