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

+ **CRL.M.C. 3700/2025 & CRL.M.A. 16296/2025**

SHIVAM JINDAL

.....Petitioner

Through: Mr. Atul Bhuchar, Mr.
Tarun Diwan and Ms.
Pyari, Advs.

versus

HARUN CHADHA

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

28.05.2025

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1. The petitioner challenges the impugned order dated 17.04.2025, passed by the learned Judicial Magistrate First Class ('JMFC') dismissing the application filed by the petitioner under Section 348 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS').
2. The petitioner filed Complaint Case No. 7568/2019 under Section 138 of the Negotiable Instruments Act, 1881 against the respondent for dishonour of cheque issued by the respondent. The petitioner, by application under Section 348 of the BNSS, sought to cross examine three witnesses namely– Parveen, Record Clerk/ Bank Officials of Bank of Baroda & of State Bank of India.
3. The learned counsel for the petitioner submits that the witness Parveen was a defence witness and is an employee of the



accused. It is stated that his name was dropped and therefore, the petitioner could never get an opportunity to rely upon his evidence. He submits that even otherwise, the complaint was filed by the petitioner and any delay in adjudication of the complaint can adequately be compensated. He submits that the petitioner is willing to compensate the respondent for any delay that may be caused. He submits that any delay caused in the adjudication of the complaint will not prejudice the respondent.

4. Issue notice to the respondent through all permissible modes. The petitioner is also permitted to serve the respondent through the learned counsel appearing for the respondent before the learned Trial Court.

5. List on 19.08.2025.

6. The learned Trial Court is requested not to conclude the proceedings till the next date of hearing.

AMIT MAHAJAN, J

MAY 28, 2025

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