



\$~69

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

+ **CRL.M.C. 3927/2025, CRL.M.A. 17163/2025 & CRL.M.A. 17164/2025**

VISHAL SHARMA

.....Petitioner

Through: Mr. Randhir Lal Sharma,
Ms. Akanksha Sisodia &
Mr. Vikas Kadian, Advs.

versus

STATE GOVT. OF NCT OF
DELHI AND ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP
for the State
Mr. Anirudh Wadhwa &
Mr. Sarthak Jain, Advs.
for R2

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **29.05.2025**

1. The present petition is filed seeking quashing of proceedings in complaint case CC No. 1870/2019 filed by Respondent No. 2 under Section 138 of the Negotiable Instruments Act, 1881.
2. It is not disputed that the subject cheques were issued on 14.11.2018. The subject cheques got dishonoured on 19.11.2018 and the statutory notices demanding the said amount were issued on 14.12.2018.
3. It is also undisputed that moratorium was imposed and the management of the accused company was taken over pursuant to the order dated 14.12.2018 passed by the National Company Law Tribunal.



4. The petitioner is arrayed as an accused in the complaint on account of him being the Director of the accused company at the relevant time.
5. The petitioner was not In-Charge of the accused company at the time of issuance of the statutory notices and, thus, was not in a position to pay on account of moratorium being imposed.
6. Issue notice.
7. Mr. Anirudh Wadhwa accepts notice on behalf of Respondent No. 2.
8. The learned Trial Court is directed not to proceed in CC No. 1870/2019 till the next date of hearing.
9. List on 02.09.2025.

AMIT MAHAJAN, J

MAY 29, 2025
“SS”