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

+ **CRL.M.C. 2108/2020**

RICHA LUTHRA

.....Petitioner

Through: Mr. Priyanka Deo, Advocate

versus

MANOJ KUMAR

.....Respondent

Through: Mr. Atul Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **27.07.2026**

1. Since it is already 04:35pm, and learned counsel for petitioner seeks opportunity to place on record written submissions, the matter has to be adjourned.
2. Basically, it appears that after conviction under section 138 Negotiable Instruments Act, the present petitioner filed appeal and before the appellate court, she moved an application under Section 391 CrPC for permission to lead additional evidence to prove the fact that her husband was missing since January 2015. The learned appellate court dismissed that application, observing that it is nobody's case that the loan for repayment whereof the subject cheque had been issued was taken by husband of the present petitioner. The appellate court observed that it is the present petitioner only who had taken loan and issued the cheque. That being so,



according to the appellate court, the allegation of husband of the petitioner missing is not even relevant.

3. Under these circumstances, relist on 19.11.2026 in Advance List.
4. Copy of this order be sent to the appellate court making it clear that there is no stay on hearing the appeal.

GIRISH KATHPALIA, J

JULY 27, 2026/ry