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

+ CRL.M.C. 7365/2023 & CRL.M.A. 27458/2023 (stay)

ADITYA JOHN@ADITYA EARNEST JOHNPetitioner
Through: Ms. Shivangi Gupta, Advocate
(through VC).

versus

M/S STAMBH IMPEX AND
LOGISTICS LTD. AND ORS.Respondents
Through: Mr. B.S. Chauhan, Advocate for R-1
(through VC).

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **15.01.2025**

1. This hearing has been done through hybrid mode.
2. Learned counsel appearing on behalf of the petitioner submits that the latter was a director of the accused company only for a short period of time, i.e., 6 months, and has placed on record relevant documents with regard to the appointment and resignation of the petitioner in the said company. It is submitted on behalf of the petitioner that the latter was not the director in the said company at the time of the transaction or issuance of the subject cheque as well as at the time of issuance of legal notice.
3. On a pointed query from the learned counsel for respondent No. 1, as to whether any documents had been placed on record alongwith the complaint to show that the present petitioner was director of the accused company at the relevant point of time, it is submitted that he is not aware of any such documents being filed at present.
4. This Court has perused the record placed alongwith the present petition



and is of the opinion that *prima facie* there are no documents showing that the petitioner was director in the aforesaid accused company at the relevant point of time.

5. It is submitted by the learned counsel for the respondent No. 1 that response to the present petition has been filed. However, the same is not on record. Let the same be placed on record before the next date of hearing.

6. List on 22.05.2025.

7. In the meantime, the proceedings pending before the learned Trial Court *qua* the present petitioner shall remain stayed till the next date of hearing.

8. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.

9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

JANUARY 15, 2025/sn

Click here to check corrigendum, if any