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

+ **CRL.M.C. 5439/2024&CRL.M.A. 20823/2024 (stay)**

ANIL KUMAR SINGH

.....Petitioner

Through: Mr. S. Sasi Bhushan, Adv.

versus

THE STATE (NCT DELHI) THROUGH SECRETARY & ANR.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for the
State with Mr. Pranav, Mr. Saurabh
Yadav, Mr. Arbab & Mr. Vidur
Diwedi, Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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19.07.2024

CRL.M.A. 20822/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 5439/2024

1. This petition is filed seeking quashing of FIR No. 524/2023 under Sections 468/471 IPC at PS Saket on ground that the issues between the parties are civil in nature and proceedings under Section 138 NI Act have already been initiated by respondent no.2 against the petitioner and are pending.
2. The crux of the issue arises from supply of construction material by respondent no.2 to petitioner for which purportedly cheques were given as security. Later, on return of goods, cheques were presented by respondent



no.2. Subsequently, ledger was reconciled and as per petitioner, NOC dated 8th March 2021, was provided stating that there was mutual settlement of all the invoices.

3. Thereafter, complaints under Section 138 NI Act were filed as also separate complaint was lodged alleging forgery of the letter head of respondent no.2 for which the aforementioned FIR was registered.

4. Perusal of the FIR shows that it is essentially a civil dispute. Accordingly, on steps being taken by petitioner, through all permissible modes, including e-mail, notice be issued to respondent no.2, returnable before this Court on 5th September 2024.

5. Notice is accepted by APP for the State who shall file a status report before the next date of hearing.

6. Trial Court shall fix a date after the next date scheduled before this Court.

7. Re-notify on 5th September 2024.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 19, 2024/sm