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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 6575/2022 & CRL.M.A. 6187/2023
MR KSSP SUNDARAVEL DIRECTOR OF MADURAI SUNDAR
TYRES PRIVATE LIMITED & ORS. Petitioners

Through: Mr. Sidharth Luthra, Sr. Adv. with
Mr. KKS Krishnaraj, Mr. Rahul
Singh, Mr. Sheezan Hashmi, Mr.
Jaustav Seth and Ms. Trisita Parashar,
Advs.

versus

BRIDGESTONE INDIA PVT LTD THROUGH ITS ATTORNEY
HOLDER MR SUBHASH CHHILLAR Respondent

Through: Mr. Sudeep Dey and Mr. D.K.
Verma, Adv.

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

% **ORDER**
07.03.2023

CRL.M.C. 6575/2022, CRL.M.A 25633/2022 & CRL.M.A.
6187/2023.

The present petition has been filed challenging the summoning order dated 03.11.2022 of learned MM-04 NI Act/RACC/NDD in CC 9738/2019.

Learned counsel for the respondent submits that he has yet not received the copy of the petition and documents.

Accordingly, Sh. K.K.S. Krishnaraj, learned counsel for the petitioner has supplied the copy of same in court today.



This court is coming across through various petitions under Section 482 Cr.P.C. whereby the summoning order passed by the learned Metropolitan Magistrate are being challenged.

This court is of the considered opinion that the revision under Section 397 Cr.P.C. is a preferred mode of challenging the summoning order passed by the learned Metropolitan Magistrate. Particularly, in view of the fact that after availing the revisional remedy the accused/petitioner shall still have the remedy to approach this court. However, Sh. Sidharth Luthra, learned senior counsel submits that there can be certain instances where the revision remedy may not be appropriate particularly in those cases where the complainant has not filed or has suppressed the documents.

Let this petition be fixed on the issue of maintainability.

Both the parties are directed to file written submissions along with relevant judgment to rely upon not exceeding three pages with an advance copy to the other party.

List on 10.04.2023 at 03:00 PM.

The date earlier fixed i.e., 19.05.2023 stands cancelled.

In the meantime, the operation of the impugned order dated 03.11.2022 against petitioner no.1 shall remain stayed, till the next date of hearing.

DINESH KUMAR SHARMA, J

MARCH 7, 2023/AR