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

+ CRL.M.C. 7607/2024 CRL.M.A. 29031/2024

CRL.M.A. 29032/2024

SANDEEP SHARMA

.....Petitioner

Through: Mr. Trideep Pais, Sr. Advocate along
with Mr. Anant Malik, Ms. Snigdha
Singh, Ms. Saloni, Advocates.

versus

STATE OF NCT OF DELHI AJND ANR.

.....Respondents

Through: Mr. Hemat Mehla, APP for State with
Mr. Rakesh Kumar, PS: Hauz Khas.

67+ CRL.M.C. 7615/2024 CRL.M.A. 29050/2024

CRL.M.A. 29051/2024

SANDEEP SHARMA

.....Petitioner

Through: Mr. Trideep Pais, Sr. Advocate along
with Mr. Anant Malik, Ms. Snigdha
Singh, Ms. Saloni, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemat Mehla, APP for State with
Mr. Rakesh Kumar, PS: Hauz Khas.

68+ CRL.M.C. 7619/2024 CRL.M.A. 29061/2024

CRL.M.A. 29062/2024

SANDEEP SHARMA

.....Petitioner

Through: Mr. Trideep Pais, Sr. Advocate along
with Mr. Anant Malik, Ms. Snigdha



Singh, Ms. Saloni, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Hemat Mehla, APP for State with
Mr. Rakesh Kumar, PS: Hauz Khas.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

27.09.2024

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1. These petitions have been filed seeking quashing of summoning order passed in complaint cases nos. 28949/2019, 23731/2019 & 23730/2019 proceedings under Section 138 of NI Act initiated the company *Vas Data Services Pvt. Ltd.* and the petitioner, being Director of the said company.
2. Senior counsel for petitioner points that said company went into insolvency proceedings on 09th April, 2019 when the statutory moratorium kicked in.
3. The six cheques in question, some of which dated are post 09th April, 2019 and some prior, were all presented post 09th April, 2019, when the moratorium had kicked in.
4. He relies on the decision of Coordinate Bench of this Court in ***Govind Prasad Todi & Anr vs Govt. of NCT Of Delhi.***, (2023) SCC online Del 3717, where a view has been taken distinguishing the fact situation of the Supreme Court decision in ***P. Mohanraj v M/S. Shah Brothers Ispat Pvt. Ltd.***, (2021) 6 SCC 258, when cheques are presented post the moratorium coming into place, noting that they will be dishonoured due to the blocking of the company's account in view of the moratorium having come into place.



5. Accordingly, issue notice to the respondent no.2.
6. APP for State accepts notice.
7. No coercive action will be taken against the petitioner before the next date of hearing subject to him to appear in the matter and be present in Court as and when summoned.
8. List on 17th January, 2025.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

SEPTEMBER 27, 2024/RK

Click here to check corrigendum, if any