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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6799/2025 & CRL.M.A. 28592/2025,
CRL.M.A. 28593/2025

SUSHIL KUMAR SEHGAL

.....Petitioner

Through: Mr. Pritish Sabharwal, Mr.
Sanjeet Kumar and Mr.
Adresh Kr. Lohia, Advs.

versus

THE STATE GOVT. OF NCT OF DELHI
AND ORS.

.....Respondents

Through: Mr. Raj Kumar, APP for
the State with SI Parveen
Kumar, PS Kashmere
Gate, Delhi.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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22.09.2025

1. By the present petition, the petitioner challenges the judgment dated 23.08.2025 (hereafter '**impugned judgment**'), passed by the learned Additional Sessions Judge (ASJ) in Criminal Revision No. 329/2023 and the order dated 04.01.2018 (hereafter '**impugned order**'), passed by the learned Metropolitan Magistrate (MM) in CC Nos. 521324, 536251/16.
2. By the impugned judgment, the learned ASJ dismissed the revision petition filed by the petitioner challenging the impugned order passed by the learned MM, pursuant to which the petitioner was declared as 'Absconder' in CC Nos. 521324, 536251/16 filed by the State Bank of India under Section 138 of the Negotiable Instruments Act, 1881 (**NI Act**).



3. The learned counsel for the petitioner submits that the same allegation led to not only filing of the complaints under Section 138 of the NI Act but also registration of FIR under Section 420 of the Indian Penal Code, 1860 (**IPC**).
4. He submits that the non-appearance of the petitioner led to initiation of proceedings under Section 82 of the Code of Criminal Procedure, 1973 (**CrPC**) in both the cases. He submits that non-appearance of the petitioner was not deliberate.
5. He submits that the proceedings under Section 82 of the CrPC in the FIR have already been quashed by the learned Court of Sessions, however, Criminal Revision No. 329/2023, which was heard by a different Court of Sessions, has been dismissed.
6. He submits that the complaint cases are fixed before the learned Trial Court on 04.11.2025 and the petitioner undertakes to appear before the learned Trial Court on the said date.
7. Issue notice.
8. The learned Additional Public Prosecutor for the State accepts notice.
9. The declaration of the petitioner as 'Absconder' is stayed till the next date of hearing.
10. List on 01.12.2025.

AMIT MAHAJAN, J

SEPTEMBER 22, 2025

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