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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8847/2024**
SH BIJENDER KUMAR

.....Petitioner

Through: Mr. Prakash Chandra, Mr. Pranav,
Advvs.

versus

**STATE GOVERNMENT OF NCT OF DELHI THROUGH SHO
PASCHIM VIHAR & ANR.**

.....Respondent

Through: Ms. Shubhi Gupta, APP
SI Gaurav Kumar, PS Paschim Vihar (East)

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
12.11.2024

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CRL.M.A. 33827/2024-EX.

1. Allowed subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 8847/2024

3. This is a petition filed under section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') challenging the order dated 26.07.2024 passed by the learned ASJ, District West, Tis Hazari Court, Delhi, wherein the order of sentence dated 21.12.2023 passed by the learned M.M., NI Act – 02, Tis Hazari has been stayed subject to respondent no. 2 depositing an amount of Rs 20,000/-.
4. It is stated by Mr. Chandra, learned counsel for the petitioner that the



Session Court failed to appreciate that the appeal itself was time barred and hence, no interim order could have been granted.

5. He further states that there is no requirement of the State being impleaded as a party in the present petition as the dispute between the petitioner and respondent No.2 is a private dispute.

6. For the said reasons, respondent No.1 is deleted from the array of parties. Let amended memo of parties be filed within 4 weeks from today.

7. Subsequent to the amended memo of parties being filed, let notice be issued to Mr. Manjeet Batra through all modes including electronic on the petitioner taking steps within 1 week from today.

8. The notice is returnable on 22.01.2025.

JASMEET SINGH, J

NOVEMBER 12, 2024 / (MS)

[Click here to check corrigendum, if any](#)