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

+ **CRL.M.C. 7367/2025**

NITIN SINGH

.....Petitioner

Through: Mr. Aditya Dhawan, Ms. Kiran
Dhawan, Mr. Anirudh Negi, Advs.

versus

AKHIL GUPTA

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **16.10.2025**

CRL.M.A. 30917/2025 (exemption from filing certified copies etc.)

Allowed, subject to all just exceptions.

This application stands disposed of.

CRL.M.C. 7367/2025 & CRL.M.A. 30916/2025 (for interim directions)

1. This is a petition seeking to set aside the impugned order dated 24.09.2025 passed by the Ld. JMFC (NI Act) in CC no. NI ACT 2922/2022.
2. By virtue of the impugned order, the Trial Court allowed the complainant's application under Section 348 BNSS (previously Section 311 Cr.P.C.).
3. The Ld. Counsel submits that the application was filed belatedly with a view to fill up the lacunae by putting blame on the previous counsel, three years after the filing of the evidence affidavit.
4. Issue notice to the respondent subject to petitioner taking requisite



steps returnable for 02.03.2026.

5. It is submitted that the matter is listed before the Trial Court on 01.11.2025 for the complainant's evidence pursuant to allowing the application under Section 348 BNSS. It is submitted that in case the respondent is permitted to lead the evidence on that day the present petition may become infructuous.

6. Keeping in view the facts and circumstances, the Ld. Trial Court is directed to defer the proceedings pending before it to a date next to the date listed before this Court.

RAVINDER DUDEJA, J

OCTOBER 16, 2025/lks/na