



\$~18 & 19

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1383/2018 & CRL.M.A. 5041/2018**

DINESH CHAND SURANA Petitioner

Through: Mr. Shreeyash Uday Lalit, Mr.
Krishna Gopal Abhay and Mr.
Abhinav Aggarwal, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Through: Mr. Ritesh Kumar Bahri, APP.
Mr. Nitin Dahiya and Mr. Mohit
Kumar, Advs. for R-2

+ **CRL.M.C. 1398/2018 & CRL.M.A. 5073/2018**

KRISHNA UDUPA Petitioner

Through: Mr. Shreeyash Uday Lalit, Mr.
Krishna Gopal Abhay and Mr.
Abhinav Aggarwal, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Through: Mr. Raj Kumar, APP.
Mr. Nitin Dahiya and Mr. Mohit
Kumar, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **12.12.2022**

CRL.M.C. 1383/2018

1. Learned counsel for the petitioner draws attention to the fact that Section 95 Insolvency Bankruptcy Code (IBC) proceedings have been admitted vide order dated 15th February, 2022 of the National Company Law Tribunal (Chennai) in the matter related to Mr. Dinesh Chand Surana (the petitioner herein). As per Section 96 IBC, the interim moratorium would



operate in respect of this proceeding. In support of this, the learned counsel for the petitioner relies upon the decision of the Hon'ble Supreme Court in ***P. Mohanraj v. Shah Bros. Ispat (P) Ltd.***, (2021) 6 SCC 258 where the Hon'ble Supreme Court has held in relation to Section 14 IBC Moratorium that the word "proceedings" will cover the quasi criminal proceedings under Section 138 Negotiable Instruments Act as well.

2. It would be, therefore, appropriate for these proceedings to be stayed in the meantime.
3. List on 15th May, 2023.
4. In the meantime if there is any change of status as far as the petitioner is concerned, it would be placed on record.

CRL.M.C. 1398/2018

1. List on 15th May, 2023.
2. The petitioner is exempted from personal appearance in continuation of orders passed by this Court on 19th March, 2018 and continued since.
3. In the event his presence is required for any particular step of the proceedings, this order will not stand in the way of being summoned by the Trial Court.
4. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 12, 2022/mk