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

+ CRL.M.C. 7715/2025, CRL.M.A. 32271/2025

ARUN ADITYA SINGLA

.....Petitioner

Through: Ms. Archana Maharaj, Adv.

versus

INDOSPIRIT DISTRIBUTION LIMITED AND ANR ...Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

18.11.2025

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1. The present petition has been filed assailing the impugned order dated 16.07.2025 whereby the revision filed by the respondent/complainant was allowed and the present petitioner, namely Arun Aditya Singla was directed to be summoned by the learned Trial Court as accused under Section 138 of NI Act.

2. Ms. Archana Maharaj, learned counsel appearing on behalf of the petitioner submits that the present petitioner was not arrayed as an accused in the original complaint filed by the complainant under Section 138 of NI Act. She submits that subsequently, an application was filed by the complainant under Section 319 Cr.PC to summon the present petitioner to stand trial along with the already arraigned accused.

3. She contends that application under Section 319 Cr. PC was not maintainable, inasmuch as the trial has not yet commenced. To buttress her contention, she invites the attention of the Court to para-7 of the order of the



learned Metropolitan Magistrate-01 (NI Act) dated 24.05.2024 where it has been stated that the evidence has not been recorded till date, and there is no material before the Court to draw the conclusion that the petitioner is also liable to be tried along with accused already facing the trial.

4. She further contends that an application under Section 319 Cr.PC could have been maintained by the complainant/respondent only after the commencement of trial when further evidence would have come on record.

5. In view of the above, issues notice to the respondent through all permissible modes, returnable on 18.02.2026.

6. In the meantime, the operation of the impugned order dated 16.07.2025, whereby the learned Trial Court has directed summoning of the present petitioner, is stayed.

VIKAS MAHAJAN, J

NOVEMBER 18, 2025

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