



\$~52

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

+ CRL.L.P. 588/2024

SHRI. B.S. GAUTAM

.....Petitioner

Through: Mr. Saurabh Tyagi, Advocate with
petitioner in person.

versus

RAMBIR SINGH NAGAR & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **25.03.2026**

CRL.M.A. 9080/2026 (For clarification of order dt. 09.09.2025)

1. By way of the present application, the applicant/petitioner seeks clarification of the order dated 09.09.2025 passed in the present leave petition.
2. The present petition was inadvertently considered as part of a batch of matters arising out of complaints under Section 138 of the Negotiable Instruments Act, 1881, which, in view of the judgment of the Hon'ble Supreme Court in Celestium Financial vs. A. Gnanasekaran & Ors., reported as **2025 SCC OnLine SC 1320**, were directed to be transferred to the concerned Principal District & Sessions Judge. It is submitted that inadvertently, facts pertaining to another case came to be noted in the present matter and the petitioner was incorrectly treated as a complainant in proceedings under Section 138 of the Negotiable Instruments Act, 1881.
3. It is further submitted that, in fact, the present Criminal Leave Petition was filed under Section 378(4) Cr.P.C. against the order passed by the



learned JMFC, whereby the complaint case came to be dismissed and the accused stood acquitted in respect of offences punishable under Sections 193/341/504/506/34 IPC, and the proceedings did not arise out of Section 138 of the Negotiable Instruments Act, 1881.

4. At this stage, learned counsel for the applicant, upon instructions, seeks leave to withdraw the present application with liberty to take appropriate steps in accordance with law.

5. In view of the aforesaid, the present application is dismissed as withdrawn with liberty as prayed for.

MANOJ KUMAR OHRI, J

MARCH 25, 2026/rd