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

+ **CRL.REV.P.(NI) 74/2024**

AKRITI MAHAJAN

.....Petitioner

Through: Mr.Vishal Arun Mishra and
Ms.Rupali Panwar, Advocates

versus

VINEET BHATIA

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **10.12.2024**

CRL.M.A. 37195/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.REV.P.(NI) 74/2024 & CRL.M.A. 37194/2024 (Stay)

1. The instant petition under Section 397 of the Code of Criminal Procedure, 1973 read with Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the petitioner challenging the summoning order dated 02.11.2018 in Complaint Case No. 4476 of 2018 for offences punishable under Sections 138/141/142 of the Negotiable Instruments Act, 1881 (hereinafter "NI Act"), whereby the petitioner was summoned.
2. Learned counsel for the petitioner submitted that the petitioner was appointed as an Independent Women Director of respondent No. 2,



M/s Allied Strips Limited, on 01.04.2017, in a non-executive role with no executive authority or financial involvement. It is submitted that she resigned from her position on 05.01.2018 due to exclusion from board meetings and lack of involvement in the company's affairs. It is further submitted that despite her resignation predating the dishonour of the cheques in question, the petitioner was falsely implicated in a criminal complaint under Section 138 of the NI Act, based solely on her name appearing on the company's website. It is also submitted that the cheques issued by respondents No. 3 and 4 for GST advisory services, were dishonoured for insufficient funds, but the petitioner had no knowledge of these transactions.

3. It is submitted that thereafter summons were issued against the petitioner, who appeared before the learned Trial Court and later sought relief from the High Court. The High Court, however, dismissed her petition on the grounds of laches, without considering her non-executive role. Aggrieved by this, the petitioner preferred SLPs bearing Nos. 14859-60/2024, and the Hon'ble Supreme Court, by order dated 18.11.2024, granted liberty to the petitioner to file a Criminal Revision Petition(s) under Section 397 of the Cr.P.C. before the High Court. The Hon'ble Supreme Court further observed that if such a Criminal Revision Petition is filed by the petitioner within one month from the date of the order, the issue of limitation shall not be raised by the High Court. Accordingly, the instant petition has been filed within the prescribed period. It is also submitted that in similar circumstances, the Hon'ble High Court of Punjab and Haryana, in CRM-M- No. 18503 of 2023, issued notice and stayed further



proceedings by order dated 17.04.2023.

4. On filing PF within a week, issue notice of the petition and accompanying application to the respondent through all permissible modes, returnable on 04.04.2025.
5. In the meantime, proceedings before the learned Trial Court shall stand stayed *qua* the petitioner till the next date of hearing.

DINESH KUMAR SHARMA, J

DECEMBER 10, 2024

Dy/na..