

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6234/2025

[Arising out of impugned final judgment and order dated 07-10-2024 in CRR No. 3706/2024 passed by the High Court at Calcutta]

CHANDRAN ANDI ALIAS CHANDRAN A

Petitioner(s)

VERSUS

MAHINDRA AND MAHINDRA FINANCIAL SERVICES LIMITED

Respondent(s)

(IA No. 66057/2025 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

IA No. 66051/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 04-08-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) :

Mr. C.B.Gururaj, Adv.
Mr. Vishnu Unnikrishnan, Adv.
Mr. Sabarish Subramanian, AOR

For Respondent(s) :

Ms. Aishwarya Sinha, Adv.
Ms. Shivani Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The present petition seeks quashing of the complaint made by the respondent under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner submits that he was only a guarantor to the loan taken by another person and has been made an accused in the said case without having anything to do with the matter and in fact the

said person who actually availed of the loan has not even been made an accused.

3. On a query of the Court to the learned counsel for the respondent, she very fairly submits that her stand may be recorded that she would be filing a petition seeking amendment to the complaint by which the name of the petitioner would be deleted and substituted with the person who actually took the loan.

4. Having regard to the aforesaid, the present petition stands disposed of in terms of the stand taken by the learned counsel for the respondent.

5. We make it clear that till such time the same does not fructify, the interim order passed by this Court shall continue.

6. Pending application(s) also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(ANJALI PANWAR)
COURT MASTER