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

+ **CRL.M.C. 4595/2024**

MOHD KASHIF

..... Petitioner

Through: Mr. Imran Ahmad, Adv.
with the petitioner in
person.

versus

MARYAM MINOR THR. GUARDIAN
& ANR.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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30.05.2024

CRL.M.A. 17280/2024 (*exemption from filing the certified
copies of the annexures*)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 4595/2024 & CRL.M.A. 17279/2024

3. The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (CrPC), seeking quashing of criminal complaint case being Ct. Case No. 2546/2023 titled as *Ms Maryam Minor Through Her Gaurdian v. Mohd Kashif*, under Section 138 of the Negotiable Instruments Act, 1881 (NI Act).
4. The learned counsel for the petitioner submits that the complainant is admittedly minor and thus, could not have entered into any contract or agreement for giving the alleged loan to the petitioner.
5. He submits that agreement entered into by a minor is void.



He relies upon the order dated 15.02.2024 passed by the Hon'ble Apex Court in the case of ***Krishnaveni v. M.A.Shagul Hameed & Anr.*** in **Civil Appeal No. 2591/2019**, to contend that even if the agreement is for the benefit of the minor, the same cannot be enforced being void.

6. Issue notice.

7. On petitioner taking steps, let notice be served through all permissible modes.

8. The petitioner is exempted from appearance before the learned Trial Court on the next date of hearing.

9. List on 03.10.2024.

AMIT MAHAJAN, J

MAY 30, 2024

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