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

+ **CRL.M.C. 5635/2024 & CRL.M.A. 21507/2024**

RAJEEV SAXENA

.....Petitioner

Through: Mr. Vaibhav Sethi, Ms. Priya
Pathania, Ms. Roma Bedi, Advocates.

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

26.07.2024

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1. The Petitioner has approached this Court for quashing the Criminal Complaint bearing No.1036/2021 filed against the Petitioner.
2. The contention of the Petitioner is that the cheque has been issued by the Company. It is stated that the company has not been made accused in the complaint and the Petitioner in his capacity of Director of the company alone cannot be made an accused and he cannot be held vicariously liable for the offence committed by the company without the company being made accused in the complaint.
3. Issue notice.
4. Learned APP appearing for the State accepts notice.
5. On payment of process fee, let notice be issued to Respondent No.2 through all permissible modes, including *Dasti*.
6. Since the Petitioner has been able to make out a *prima facie* case in his favour, this Court is inclined to grant stay on further proceedings in



Criminal Complaint bearing No.1036/2021.

7. List on 06.11.2024.

SUBRAMONIUM PRASAD, J

JULY 26, 2024

S. Zakir