

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Cr.M.P. No. 3374 of 2022**

Rajesh Kumar Modi ..... Petitioner  
Versus  
1. The State of Jharkhand.  
2. M/s Meraki Furniture Pvt. Ltd. .... Opposite Parties

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**CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner : Mr. Rakesh Kumar Gupta, Advocate.  
For the State : Mr. B.N. Ojha, A.P.P.  
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**04/ 01.12.2022** Learned counsel appearing for the petitioner submits that the case is arising out of Section 138 of NI Act and without complying the statutory provision of the said Act, the case has been filed belatedly after five months and proviso of condonation of the relevant Section was not complied. He submits that the learned court without considering the relevant provision of condonation has taken the cognizance against the petitioner.

Let notice be issued upon the O.P. No. 2 under registered cover with A/D as well as by ordinary process, for which, requisites etc. must be filed within two weeks.

No coercive steps shall be taken against the petitioner, in connection with Complaint Case No. 5921 of 2019, pending in the court of learned Judicial Magistrate, Ranchi till the next date of listing.

Let this matter appear on 27.03.2023.

**(Sanjay Kumar Dwivedi, J.)**

*Amitesh/-*