

05.05.2025

Matter taken up through hybrid hearing.

Present : Ms. Mahima Rathore, Proxy Counsel for the complainant through VC.

Sh. Chandan Bhatia, Ld. counsel for the accused No.2 with accused No.2 through VC.

Accused no.3 not summoned.

Proceedings terminated qua accused no.1 vide order dated 19.02.25.

Sh Sadre Alam, Ld. counsel for new management of the accused No.1.

In view of the judgment of Hon'ble Supreme Court of India in **Rakesh Bhanot Vs. M/s. Gurdas Agro Pvt Ltd., Criminal Appeal No. 1607 / 2025** wherein it has been clarified by Hon'ble Supreme Court of India that moratorium effective in an application filed U/s 94/95 IBC will not have bearing on proceedings U/s 138 NI Act against the persons liable as director, official of a company U/s 141 NI Act. Accordingly, the application U/s 96 IBC moved on behalf of the accused no.2 for stay of proceedings is hereby dismissed and disposed of.

Now to come up for CE on **12.07.2025**.

AR of the complainant is directed to remain physically present on the next date of hearing.

(Poonam Singh)
Judicial Magistrate First Class (NI Act) – 01
PHC/New Delhi/05.05.2025