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

% ***Date of Decision: 2nd February, 2026***

+ CRL.M.C. 4714/2023 & CRL.M.A. 18036/2023

ANIL MITHASPetitioner

Through: Mr. Manoj Singh, Adv.

versus

MRS SUDHA BANGA & ORS.Respondent

Through: Ms. Prachi Gupta with Ms. Shivani,
Advocates.

+ CRL.M.C. 4717/2023 & CRL.M.A. 18042/2023

ANIL MITHASPetitioner

Through: Mr. Manoj Singh, Adv.

versus

MRS SUDHA BANGA & ORS.Respondent

Through: Ms. Prachi Gupta with Ms. Shivani,
Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner-Anil Mithas has been summoned in two separate complaints i.e. Complaint case bearing No. CC/2457/209 and CC/2461/2019 for committing offence under Section 138 of Negotiable Instruments Act, 1881.
2. According to petitioner, he had resigned from the Directorship of the accused Company w.e.f. 01.09.2017 and since the cheques in questions are of year 2018 and 2019, these do not incriminate him any manner whatsoever as, on the date when the cheques were drawn, he was neither the Director nor was concerned with the affairs of the accused Company, in any manner whatsoever.
3. Admittedly, he is not even signatory to the cheques in question.
4. It is for the abovesaid reasons that these two petitions have been filed



seeking recalling of summoning order dated 11.07.2019.

5. Both the abovesaid complaints have been filed by Mrs. Sudha Banga (respondent No.1).

6. Ms. Prachi Gupta, learned counsel for respondent No.1 submits that in view of the facts placed on record, she would have no objection with the present petitions being allowed, as the petitioner herein was, in fact, not the Director at the relevant time.

7. Her such statement is taken on record.

8. The petitioner herein has shown as accused No. 2 in both the complaints.

9. The name of the accused-Company is *M/s Bulland Realtors Pvt. Ltd.* and keeping in mind the Form DIR-11 placed on record and candid admission made by the learned counsel for complainant, the summoning order dated 11.07.2019 passed in both the abovesaid complaints stands recalled to the extent it relates to petitioner-Anil Mithas.

10. Both the petitions stand disposed of in aforesaid terms.

11. Pending applications also stand disposed of.

12. A copy of this order be sent to learned Trial Court for information with request to make best endeavour to dispose of the complaints in expeditious manner.

(MANOJ JAIN)
JUDGE

FEBRUARY 2, 2026/sw/pb