

National Agricultural Cooperative ... vs Ms Earthtech Enterprises Pvt Ltd & Ors on 30 March, 2022

Author: Chandra Dhari Singh

Bench: Chandra Dhari Singh

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.L.P. 122/2022

NATIONAL AGRICULTURAL COOPERATIVE

MARKETING FEDERATION OF INDIA LTD Petitioner

Through: Mr. Aaditya Vijay Kumar,
Mr. Aneesh Sadhwani and
Ms. Akshita Katoch, Advo

versus

MS EARTHTECH ENTERPRISES PVT LTD & ORS.

..... Respondent

Through: Counsel for R-3 (Through
(appearance not given)

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH
ORDER

% 30.03.2022 Exemption allowed subject to just exceptions. The application stands disposed of.

1. By way of this petition/appeal filed under Section 378(1) of the Code of Criminal Procedure, 1973, the petitioner/appellant seeks following reliefs:-

"1) Allow the present Appeal; and

2) Set aside judgment dated 22.12.2021 passed by Ld. Metropolitan Magistrate - 03 (NI Act), New Delhi District, Patiala House Court, New Delhi in CC bearing no. 8299 of 2019 titled as "National Agricultural Cooperative Marketing Federation of India Ltd. v. M/S Earthtech Enterprises Pvt. Ltd. & Ors." only limited to the acquittal of Respondent No.3 and 4 and consequently convict Respondent No. 3 and 4 for the offence;

3) Call for the records of CC bearing no. 8299 of 2019;..."

2. Heard.

3. Learned counsel appearing on behalf of respondent No.3 prays for some time to file reply. Let the same be filed within one week.

4. Upon taking steps by the petitioner/appellant within a week, issue notice to respondents no.1, 2, 4 and 5 by all permissible modes, returnable on 11th May 2022.

CHANDRA DHARI SINGH, J MARCH 30, 2022 Aj/ct