



\$~71

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

*Date of Decision: 16<sup>th</sup> January, 2026*

+ CRL.M.C. 405/2026 & CRL.M.A. 1543/2026  
POONAM SHARMA

.....Petitioner

Through: Mr. Rohit Singh, Mr. Prashant  
Vaibhav and Ms. Supriya, Advocates.

versus

AVINASH PAL

.....Respondent

Through:

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**  
**JUDGMENT (oral)**

1. Petitioner is facing trial in a cheque bouncing case instituted in the year 2018.
2. The present petition seeks quashing of order dated 01.08.2025, passed by learned JMFC, North East Delhi, Karkardooma Court in CC No. 4075/2018.
3. During the pendency of abovesaid complaint, when the case had already reached the stage of defence evidence, the accused (petitioner herein) moved an application under Section 348 BNSS (corresponding Section 311 Cr.P.C.) with request to call the nephew of the complainant in witness box.
4. Such application was dismissed by the learned Trial Court *vide* order dated 01.08.2025.
5. Such order is under challenge.
6. When asked, learned counsel for petitioner, in all fairness, submitted



2026:DHC:430



that the matter is now reserved for judgment on 06.02.2026.

7. In view of the abovesaid peculiar development, when the learned Trial Court has already reserved the matter for judgment, it will not be appropriate to pass any order. Ideally, the petitioner should have assailed the order, swiftly. This Court also cannot be unmindful of the fact that the complaint was instituted in the year 2018 and any such step should have been taken in the beginning.

8. Be that as it may, the present petition, while leaving the contentions open, is dismissed.

9. However, if the complaint is allowed and accused is, eventually, held guilty, as and when she challenges such order of conviction and sentence, she would be at liberty to assail the order which is impugned herein.

**(MANOJ JAIN)  
JUDGE**

**JANUARY 16, 2026/ss/pb**