

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTIONCRIMINAL APPEAL NO. OF 2026  
(Arising out of SLP(CRL.) NO.1205 OF 2026)

YATENDRA SINGH

Appellant(s)

VERSUS

STATE OF U.P. &amp; ANOTHER

Respondent(s)

J U D G M E N TNAGARATHNA, J.

Leave granted.

2. Being aggrieved by the order dated 24.09.2025 by which the earlier order dated 03.03.2023 passed by the learned Presiding Officer, Additional Court No.2, Ghaziabad in Complaint Case No.1125/2022 filed under Section 138 of the Negotiable Instruments Act, 1881 was sustained, the appellant is before this Court.

3. We have heard learned counsel for the appellant and learned counsel for the second respondent. We have perused the material on record.

4. All that the appellant is seeking in this appeal is for restoration of Complaint Case No.1125/2022 as the said case was dismissed for default by the Trial Court and the High Court declined to restore the same.

5. Having regard to the submissions advanced at the bar and also bearing in mind the interest of justice, we find that the High court was not right in declining to interfere in the matter.

6. Consequently, the order dated 24.09.2025 passed by the High Court in Criminal Revision Defective No.981/2024 and order dated 03.03.2023 passed by learned Presiding Officer, Additional Court No.2 Ghaziabad in Complaint Case No.1125/2022 filed under Section 138 of the Negotiable Instruments Act are set aside and Complaint Case No.1125/2022 is restored on the file of the said Court.

7. This appeal is disposed of in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

.....J.  
(B.V. NAGARATHNA)

.....J.  
(UJJAL BHUYAN)

NEW DELHI;  
JANUARY 30, 2026