

46 CC NI ACT / 1151/2026 MS CAPITAL HIND FINANCE PVT LTD Vs. RANI /0 (Kashmere Gate)
09.06.2026

Present: Ms Jyoti Sharma, Ld counsel for the complainant through VC.

Matter is at the stage of consideration.

Arguments heard on point of summoning.

Following the law laid down in A. C. Narayanan Vs. State of Maharashtra & Anr. (2014) 11 SCC 790 and in view of complaint; documents produced with respect to return of cheque on dishonourment and service of legal demand notice; and verification in the form of affidavit of evidence, there are sufficient grounds for proceeding further against accused for offence punishable under Section 138 NI Act.

Let summons be issued to the accused on filing of PF/RC/AD/ speed post, returnable on next date. Complainant is directed to file PF and take steps within one month including providing copy(ies) of complaint and related documents. Ahlmad is directed to issue the summons only after ensuring that the same has been done. The complainant is also apprised of the fact that at the time of filing first PF, he is required to fill the mandatory NI Act Complaint Meta Data. Service be also affected dasti as well as on the email, WhatsApp message(s) and text message of accused person(s), as provided by the complainant and further subject to filing of affidavit of service.

As per the guidelines laid down in the case titled as Damodar S. Prabhu Vs. Sayed Babalal H, (2010) 5 SCC 663 and “Sanjabij Tari v. Kishore S. Borcar & Anr., 2025 LiveLaw (SC) 952”, the accused is at liberty to file an application for compounding of the offence on the first or second date of hearing itself without imposition of cost. However, failure to do the same and seeking compounding at a later stage will entail additional cost. Same be mentioned on the summons.

Put up for appearance of accused, grant of bail and framing of notice on 18.11.2026.

(Navdeep Gupta)
JMFC (NI Act-02)/Central
THC/Delhi/09.06.2026