

CC NI ACT No. 2292/2021

MANAPPURAM FINANCE LIMITED Vs. RAMACHANDRA MUDULI
(Court through Video conferencing using CISCO WEBEX application).

03.09.2021

Present: Sh. Sandeep Basnal Ld. Counsel for complainant.

Today the matter has been fixed for filing of Affidavit regarding correct/ current verified address of the accused. Ld. Counsel for complainant submits that he has already filed the same on the e mail ID of this Court. Reader Cum Ahlmad is hereby directed to upload the same in the digital file also.

The Ahlmad of this court has confirmed the deposition of original complaint and documents.

Affidavit of evidence and other annexed documents also perused. This court finds sufficient material to proceed further and thus I take cognizance of the offence punishable u/s 138 NI Act.

In view of order of Hon'ble Supreme Court dated 16.04.2021 in Suo Motu WP (Crl.) No. 02/2020 titled as ***“In Re: Expeditious Trial of Cases under Section 138 of the NI Act, 1881”***, an inquiry under Section 202 Code of Criminal Procedure, 1973 is made, as accused is resident of the area beyond the territorial jurisdiction of this court. On perusal of entire record, prima facie material is sufficient to proceed against the accused.

Following the law laid down in **A. C. Narayanan Vs. State of**

Maharashtra & Anr.” (2014) 11 SCC 790, complaint, affidavit of evidence and documents considered. In view of complaint, documents produced and verification in the form of affidavit of evidence, there are sufficient grounds for proceeding further against accused **Mr. RAMACHANDRA MUDULI** for offence punishable under Section 138 N. I. Act. Therefore, I hereby summon the said accused.

Reader-cum-Ahlmad is hereby directed to issue summons against the accused ***on filing of P.F./R.C./Approved Courier as well as through e mail ID and whatsapp number of accused persons on furnishing of the correct e mail ID and whatsapp Number of the accused persons by the complainant.*** Ld. Counsel for the complainant is also directed to fill up the online META Data form at the time of filing of first process fee as mandated by the SOP issued by the Hon’ble High Court of Delhi. Proof of service/tracking report be filed and updated in the digital file on or before the next date of hearing. Dasti summons are also permitted. The process server is directed to serve the summons by way of affixation, if premises found closed or same could not be served personally or on any adult male member.

As per the guidelines laid down as in the case titled as **“Damodar S. Prabhu Vs. Sayed Babalal H”, AIR 2010 SC 1907,** Ahlmad is directed to make a mention on the summons issued against the accused that “accused can make an application for compounding of the offence at the

first and second hearing of the case and if such an application is made, compounding may be allowed by the Court without imposing any costs on the accused.”

The Ahlmad is directed to mention the official email Id and video conferencing link of this Court on the summons. Complainant is directed to file PF and take steps within 07 working days including providing copy(ies) of complaint. Matter be fixed for appearance of accused and framing of notice on **29.11.2021 at 10:00 AM.**

AKANKSHA
GARG

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by AKANKSHA
GARG
Date: 2021.09.03
15:28:16 +0530

(Akanksha Garg)

MM (N.I. ACT) Digital Court-02/SED
Saket Courts New Delhi/03.09.2021