

M/S EDGRO FINANCE PRIVATE LIMITED Vs MOHAMED ZABI

Present: AR for complainant in person represented by Sh. Akash Kaushal, Advocate.

Order:

Case received by way of transfer. It be checked and registered. Present complaint has been filed for offence under Section 25 of Payment and Settlement Systems Act, 2007. The complaint is filed within limitation and within the territorial jurisdiction of this court. On the basis of averments made in the complaint an offence under Section 25 of Payment and Settlement Systems Act, 2007 appears to be committed. Hence, I take cognizance of the offence.

Inquiry under Section 202 (1) of Cr.P.C. is conducted through the scrutiny of documents along-with complaint and duly sworn affidavit of complainant.

Pre-summoning evidence by way of affidavit filed by the complainant, which is Ex. CW1/A. Taken on record. Original documents have been filed on record which are Ex. CW1/1 to Ex. CW1/6. Documents have been exhibited. Pre-summoning evidence closed on behalf of complainant.

Arguments heard on point of summoning.

File perused. Heard. All the statutory requirements under PASA Act are complied with.

On examination of documents filed alongwith the present complaint (as per Section 202 Cr.P.C), the Court is satisfied that prima-facie offence punishable under Section 25 of PASA Act is made out against the accused.

Issue summons to the accused on filing of PF, RC within 15 days and through all possible physical modes. Complainant is directed to supply the complete set of documents filed in the court.

Ahlmad is directed to issue the summons only after ensuring that the same has been done.

Ahlmad is directed to make the following endorsement on the summons in terms of the guidelines of Hon'ble Supreme Court passed in the case of ***Damodar S. Prabhu Vs. Sayed Babalal H. (2010 5 SCC 663)***:

(a) Accused can make an application for compounding of the offence at the first or 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.

(b) If the accused does not make an application for compounding as aforesaid, then if an application for compounding is made before the court at a subsequent stage, compounding can be allowed subject to the condition that the accused will be required to pay 10% of the cheque amount to be deposited as a condition for compounding.

If the accused could not be served in view of the provision contained in Section 62, 63 and 64 of Cr.P.C, process server is directed to follow the provision mentioned in Section 65 of Cr.P.C and file his report accordingly.

Put up for appearance of the accused/bail/framing of notice and further proceedings on **10.06.2027**.

(Deepanshu Sarkar)
JMFC/Gurugram
UID No. HR-0569

Date of order: 13.08.2026

Vyakhaya, Steno-II