

33 CC NI ACT / 1783/2026 RAKESH KUMAR Vs. MAHINDER PALIWAL /0 (DBG Road)

03.07.2026

Present: Ms Kirti Aggarwal, Ld counsel for the complainant.
Accused with Ld counsel.

Matter is at the stage of appearance of accused.

Summons issued against the accused received back unserved. Report perused.
However, accused has appeared in person.

Fresh vakaltnama has been filed on behalf of accused. Same is taken on record.

Personal bond furnished. Same is accepted till the NDOH.

Accused submits that he has received the copy of complaint.

Notice of accusation has been served upon the accused, to which accused pleaded not guilty and claimed trial. His plea of defence has also been recorded separately.

Admission & denial done. Therefore, witness no. 2 & 3 stand dropped from the list of witnesses on account of admission by accused.

Considering the plea of defence taken by the accused, it is clear that plausible defence has been raised for which an opportunity for cross-examination of the complainant is fit to be given to the accused u/s 145(2) NI Act. The need for filing a formal application stands dispensed with.

In these circumstances, in view of the second proviso to section 143 (1) of the NI Act, instead of being tried summarily, this case shall now be heard as a summons trial case.

It is jointly submitted that there are chances of amicable settlement between the parties and it is requested that the matter be referred to Mediation Centre.

Vide referral form, both the parties are directed to appear before Mediation Centre on 06.08.2026 at 02 PM.

Be put up for settlement, if any/CE before this court on 07.12.2026.

(Navdeep Gupta)
JMFC (NI Act-02)/Central
THC/Delhi/03.07.2026