

48 CC NI ACT / 2140/2026

Akara Capital Advisors Private Limited Vs. SHAM SUNDER

Proceedings conducted through hybrid mode.

26.05.2026

Fresh case received by way of assignment. It be checked and registered.

Present: Sh. Deepak Gupta, Ld Counsel for the complainant through VC.

Arguments on summoning heard.

Entire record including the complaint and the annexed documents perused thoroughly.

It is alleged that accused has initiated the electronic funds transfer mandate in question to the complainant in discharge of liability. However, the same was not executed. Thereafter, demand notice was sent to the accused by the complainant. Despite service/ deemed service of said notice, accused has failed to make the payment within 15 days as per provisions of Payment and Settlement Systems Act, 2007. On consideration of the complaint, annexed documents and verification affidavit of the complainant, this Court is of the opinion that prima facie there are sufficient grounds of proceeding against the below mentioned accused for the offence under Section 25, Payment and Settlement Systems Act, 2007. In terms of inquiry conducted under Section 202 CrPC, all the statutory requirements have been complied with. The complaint is filed within the period of limitation. I am satisfied that there are sufficient grounds for proceeding further.

Let accused be summoned on filing of PF, RC/ Speed Post/ approved Courier service/ E-mail within 30 days for **23.01.2027**. Process server is directed to serve the summons through all modes.

Complainant is directed to place the tracking report of summons sent through speed post on record on the next date. In the event the house/office/premises is found to be locked/refusal to accept the service/any other contingency the process be served through affixation in terms of Section 65, CrPC. As per the guidelines laid down in 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 (by adding separate sheet, if required) 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 order be uploaded as per rules.

(Aradhana)

JMFC (NI Act) – 09, Central District
Tis Hazari Court, Delhi/26.05.2026