

IN THE COURT OF MR. HARGURVARINDER SINGH JAGGI,
ADDL. SESSIONS JUDGE (FTC– 01), SOUTH DISTRICT, SAKET
COURTS, NEW DELHI

CA No.: 355/2025	
CNR No.: DLST01-014150-2025	
u/Section: 138 NI Act, 1881	

IN THE MATTER OF:

JAI PRAKASH NARAYAN

... Appellant

Through – Mr. Lalit Chauhan, Ms. Laxmi
Chauhan, Advocates for the
Appellant.

v.

SATENDER SINGH

... Respondent

Through – Mr. Rohit Oberoi Advocate for
the Respondent.

Date of filing of appeal:	13.08.2024
Date of allocation of appeal to this Court:	01.09.2025
Date of reserving judgment:	23.05.2026
Date of pronouncement of judgment:	06.06.2026

JUDGMENT

06.06.2026

1. Jai Prakash Narayan (appellant) has preferred an appeal under the proviso to Section 372 of the Code of Criminal Procedure, 1973 (CrPC, 1973) arising out of the judgment dated 22.05.2024 (impugned judgment) pronounced by the Court of Ms. Komal, Metropolitan Magistrate (NI Act)-08, South District, Saket Court Complex, New Delhi (Trial Court) in a complaint case titled as ***Jai Prakash Narayan v. Satender Singh – CT Case No. 946/2018*** (complaint case).

2. At the outset, it is observed that by the order passed by the Hon'ble High Court of Delhi in ***Jai Prakash Narayan v. Satender Singh – CrI. L.P. No. 400 of 2024***, the petition preferred by Jai Prakash Narayan was treated as an appeal under Section 413 *proviso* of the BNSS, 2023, which is akin to Section 372, CrPC, 1973 and was transmitted by the Registry of the Hon'ble High Court of Delhi, to the Ld. Principal District and Sessions Judge, South District, Saket Courts Complex, Delhi for marking to the appropriate Court. It is in the light of the above directions passed by the Hon'ble High Court that the captioned appeal was allocated to this Court *vide* order passed by the Ld. Principal District and Sessions Judge, South District, Saket Courts Complex, Delhi.

3. The appellant herein was the complainant, whereas the respondent herein was the accused before the Trial Court. For the sake of clarity, convenience and avoidance of confusion, the parties before

this Court are interchangeably referred to by their rank and status before the Trial Court.

Factual matrix

4. The facts of the case as urged by the complainant, Jai Prakash Narayan, before the Trial Court were that the complainant and the accused were known to each other and had friendly relations. The accused requested a friendly loan of ₹2,00,000/-, and the complainant advanced the said amount on 25.07.2017 for a period of two months.

5. In discharge of the said liability, the accused issued a post-dated cheque bearing No. 129330 for an amount of ₹2,00,000/- dated 31.10.2017 drawn on Oriental Bank of Commerce, Tughlakabad Institutional Area, M.B. Road, New Delhi.

6. Upon presentation of the said cheque for encashment with his bank, i.e., Corporation Bank, Chhatarpur, the cheque was dishonoured and returned unpaid with the remark "funds insufficient" *vide* return memo dated 29.11.2017.

7. A statutory legal demand notice dated 07.12.2017 under Section 138 of the Negotiable Instruments Act, 1881 (NI Act) was issued by the complainant to the accused. Despite the service of the legal notice, the respondent failed to make the payment within the statutory period, prompting the filing of the complaint.

Trial Court's holding

8. The Trial Court, by impugned judgment dated 22.05.2024, acquitted Satender Singh for the alleged commission of the offence

under Section 138 of the NI Act. The broad findings of the Trial Court as traced from its holding are as below:

9. The Trial Court held that the accused successfully raised a probable defence that questioned the financial capacity of the complainant to advance a loan of ₹2,00,000/-, thereby creating a doubt regarding the existence of a legally enforceable liability.

10. The Trial Court also observed that there were material discrepancies regarding the dates when the loan amount was given and when the cheque was handed over, concluding that the complainant failed to prove his case beyond a reasonable doubt.

Grounds of appeal

11. On being aggrieved by the impugned judgment passed by the Trial Court, Jai Prakash Narayan assailed the same on multiple grounds, primarily focusing on a shocking and egregious procedural anomaly.

12. The primary grounds urged are as follows:

12.1. The impugned judgment passed by the Ld. MM (South)-08 on 22.05.2024 in CT Case No. 946/2018 is a verbatim, mindless "cut, copy, paste" reproduction of another judgment dated 06.04.2024 passed by a different Court (Ld. MM-06) in a connected but entirely distinct matter (CT Case No. 681/2018).

12.2. The Trial Court completely failed to apply its independent judicial mind to the facts, evidence, and exhibits of the present case, importing the reasoning and factual details of a different cheque and a different cause of action.

Submission by Counsel for parties

13. Mr. Lalit Chauhan, learned counsel for the appellant, opened his arguments by challenging the impugned judgment passed by the Trial Court as being a mockery of the judicial process, contrary to facts, and a classic manifestation of judicial plagiarism.

14. The learned counsel for the appellant vehemently submitted that the Ld. Magistrate in the impugned judgment recorded findings based on evidence that was never a part of the present trial. Counsel pointed out that the present case pertains to Cheque No. 129330 for ₹2,00,000/- which was returned for "funds insufficient". However, the Ld. Magistrate in Paragraph 13 of the impugned judgment explicitly recorded that "the accused never signed on the cheque 178846 that is why the reason for dishonor was 'drawer's signature differ'". The counsel submitted that Cheque No. 178846 and the return reason of "drawer's signature differ" pertain to an entirely different case (CT Case No. 681/2018), exposing the absolute lack of application of mind and the perils of mechanical "copy-pasting" by the Trial Court.

15. *Per contra*, Mr. Rohit Oberoi, learned counsel for the respondent, attempted to defend the impugned judgment, contending that despite the typographical or clerical errors made by the Trial

Court in drafting the judgment, the core finding regarding the lack of financial capacity of the complainant remains valid.

16. The learned counsel submitted that the Trial Court pronounced an acquittal based on the preponderance of probabilities, and such an acquittal fortifies the presumption of innocence in favour of the accused, which should not be lightly interfered with by an Appellate Court.

Legal provision and legal principles

17. The present appeal emanates from a complaint filed by Jai Prakash Narayan against Satender Singh under Section 138 of the NI Act, wherein the Trial Court acquitted the accused. Thus, it is imperative to set out the legal standard by referring to the appropriate legal provisions and legal principles.

18. The Apex Court in ***Rohitbhai Jivanlal Patel v. State of Gujarat & Anr. – 2019 INSC 393 (RJ Patel’s case)*** emphasized that, ordinarily, an appellate court will not upset a judgment of acquittal if the view taken by the trial court is one of the possible views of the matter. The appellate court may only interfere if it arrives at a clear finding that the judgment of the trial court is perverse, i.e., not supported by evidence on record, contrary to what is regarded as normal or reasonable, or wholly unsustainable in law.

19. The legal provision of Section 118 showcases that it raises a rebuttable presumption as against the drawer to the extent that the concerned negotiable instrument was drawn and subsequently

accepted, endorsed, negotiated, or transferred for an existing consideration.

20. Section 139 of the NI Act mandates that it shall be presumed, unless the contrary is proved, that the holder of a cheque received the cheque for the discharge, in whole or in part, of any debt or other liability.

21. The Hon'ble Supreme Court in ***Rajesh Jain v. Ajay Singh – 2023 INSC 888*** clarified that the accused can rebut the presumption by proving the non-existence of debt/liability by a preponderance of probabilities by referring to the particular circumstances of the case. Once the evidential burden placed on the accused has been discharged, the complainant would be expected to prove the said fact independently, without taking aid of the presumption.

Analysis

22. Now coming to the case at hand with the above-said legal standards as anchor point, to ascertain whether the impugned judgment is marred by perversity and ought to be interfered with. The appellant, Jai Prakash Narayan is aggrieved by the impugned judgment passed by the Trial Court, whereby the Trial Court acquitted the respondent, Satender Singh based on its findings.

23. For the purpose of a structured framework for analysing, reasoning, and enabling the parties to understand this decision, the Court deems fit to note the points for determination in the present appeal, which are as below:

- 23.1. Whether the Trial Court committed a manifest illegality and gross perversity by mechanically "copy-pasting" a judgment from a different case without applying its judicial mind to the facts and evidence of the present case?
- 23.2. Whether the impugned judgment suffers from such gross miscarriage of justice warranting interference by the Appellate Court?

The Perils of “Cut, Copy, Paste” Jurisprudence

24. An Appellate Court may interfere with an acquittal when the view taken by the Trial Court is perverse, manifestly illegal, or such that no reasonable person could have arrived at it on the evidence on record. The present case is a glaring, albeit tragic, embodiment of perversity.
25. The advent of technology, word processors, and personal computers was intended to act as an administrative aid to the judiciary, bringing efficiency and speed to judicial drafting. However, it has birthed a dangerous and unacceptable malady, the “Ctrl+C and Ctrl+V” (Cut, Copy, Paste) jurisprudence.
26. A judicial pronouncement is the solemn culmination of the application of a trained legal mind to the specific facts, pleadings, and evidence adduced in a particular trial. It cannot, and must not, be reduced to an act, where the operative reasoning is mindlessly plagiarized from a different case.

27. A bare perusal of the impugned judgment dated 22.05.2024 passed by the Trial Court i.e., The Court of Ld. Metropolitan Magistrate – 08 (NI Act), South District, Saket Courts, New Delhi, reveals an abject failure of judicial duty. The Ld. Magistrate has simply lifted the entire factual and legal analysis from an earlier judgment dated 06.04.2024 passed by the Court of Ld. Metropolitan Magistrate – 06 (NI Act), South District, Saket Courts, New Delhi, in a separate complaint case between the same parties titled as ***Jai Prakash Narayan v. Satender Singh – CT Case No. 681/2018.***

28. The evidence of this mechanical reproduction is writ large on the face of the record. In Paragraph 13 of the impugned judgment, the Ld. Magistrate records:

“He further argued that the accused never signed on the cheque 178846 that is why the reason for dishonor was ‘drawer’s signature differ.’”

29. This finding is a factual impossibility in the present case. The present complaint, i.e., ***Jai Prakash Narayan v. Satender Singh – CT Case No. 946/2018***, pertains *only* to cheque No. 129330 for ₹2,00,000/-, which was dishonoured with the remark “funds insufficient”. The cheque No. 178846, and the corresponding return memo stating “drawer’s signature differ”, were exhibited exclusively in ***Prakash Narayan v. Satender Singh – CT Case No. 681/2018.***

30. Furthermore, in Paragraph 28, the Trial Court incorrectly refers to the evidentiary value of Mark. CW-1/A and mentions CW-2 filling the date on “cheques” (plural), importing the multi-cheque dynamic of

the other trial into this single-cheque trial. The Trial Court completely failed to evaluate the actual cross-examination and defence evidence led in *this specific trial*, instead relying on the exact paragraphs drafted by another Brother Judge for another set of facts.

31. When a Trial Court imports the factual analysis of a completely different cheque, a different return memo, and different cross-examination without independent evaluation, the resulting judgment is not merely erroneous, it is a nullity in the eyes of law. It violates the fundamental principle of *audi alteram partem* and the right of the parties to have their specific evidence evaluated. The statutory presumptions under Sections 118 and 139 of the NI Act cannot be deemed to be rebutted based on the appraisal of evidence from a phantom trial.

32. The Hon'ble Supreme Court in ***RJ Patel's case*** has clearly stated that a judgment of acquittal is perverse if it is not supported by evidence on record, contrary to what is regarded as normal or reasonable, or wholly unsustainable in law. A judgment drafted by copying the factual findings of another case squarely falls within the definition of a perverse judgment.

Decision

33. On a careful re-appraisal, this Court finds that the view taken by the Trial Court is neither “possible” nor “plausible” view based on the evidence on record, because the Trial Court did not look at the evidence on record at all. The impugned judgment is vitiated by gross

perversity, absolute non-application of mind, and an injudicious reliance on the “copy-paste” function of a word processor.

34. While a decision of acquittal ordinarily fortifies the presumption of innocence of the accused, such a shield cannot be afforded when the acquittal is the product of a sham adjudication. The case at hand warrants immediate interference to prevent a gross miscarriage of justice.

35. In view of the aforesaid legal provisions, legal principles, foregoing reasons, and scathing observations regarding the drafting of the judgment, this Court holds that the impugned judgment dated 22.05.2024 passed by the Trial Court is wholly unsustainable in law.

36. Accordingly, the instant appeal titled as ***Jai Prakash Narayan v. Satender Singh – CA No. 355/2025*** is allowed. The impugned judgment of acquittal dated 22.05.2024 passed by the Trial Court in complaint case titled as, ***Jai Prakash Narayan v. Satender Singh – CT Case No. 946/2018*** is hereby set aside and quashed.

37. All pending applications, if any, also stand disposed of. Parties to bear their own costs.

38. Considering that the Trial Court utterly failed to adjudicate the present matter on its own merits, the Court is of the considered view that the matter be placed before the Ld. Principal District & Sessions Judge, South District, Saket Courts, with a request to assign the complaint case to a competent Court of Metropolitan Magistrate for hearing the final arguments afresh and pronouncing a fresh,

independent, and reasoned judgment based strictly on the evidence available in the Trial Court Record of ***Jai Prakash Narayan v. Satender Singh – CT Case No. 946/2018***.

39. Let a copy of this judgment along with the appeal paperbook, trial court record (TCR) be *forthwith* placed before the Ld. Principal District & Sessions Judge, South District, Saket Courts for information and appropriate orders.

40. The *Ahlmad* of this Court is directed to complete the file in all aspects and do the needful at the earliest.

41. File be consigned to the Record Room on compliance of directions and necessary action, as per applicable rules.

**Pronounced in the open Court
on June 06, 2026**

**(Hargurvarinder Singh Jaggi)
Addl. Sessions Judge (FTC-01)
South District
Saket Courts, New Delhi**

Note: This judgment comprises of 12 pages in total. The electronic signature certificate (digital signature) of the Presiding Officer has been appended on the last page of the electronic or digital copy (PDF) of this document.