

Manappuram Vs. Rubi

Present: Complainant in person with Sh. Rajesh K. Kaushik, Advocate.

An application for substituting the applicant Rahul, Branch Manager, to pursue the above noted suit in place of earlier Branch Manager Rajnish Kumar has been filed on behalf of applicant. Keeping in view the facts mentioned in the application, same stands allowed and applicant Rahul is permitted to pursue the present.

Complainant appeared and examined in preliminary evidence as CW-1. He tendered documents as Ex.C1 to Ex.C10 alongwith affidavit as Ex.CW1/A in preliminary evidence. Thereafter, vide separately recorded statement, he has closed his preliminary evidence.

Arguments heard on point of summoning of accused.

On careful consideration of the complaint as well as preliminary evidence and documents placed on the record of the case, a prima facie case for commission of offence punishable under Section 138 of Negotiable Instruments Act, is made out against the accused. No detailed reasons are required to be given for summoning of the accused in view of the law laid down by the Hon'ble Apex Court in case of ***U.P. Pollution Control Board Vs. M/s Mohan Meakins Ltd. And others 2000(2) RCR 421***. In compliance of directions issued by the Hon'ble Supreme Court in ***Meters and Instruments Private Limited v. Kanchan Mehta, (SC) 2017(4) R.C.R.(Criminal) 476***, and in ***Rajesh Agarwal v. State (Delhi) 2010(4) R.C.R. (Criminal) 124*** by the Hon'ble Delhi High Court, the complainant is directed to furnish his bank account number and

e-mail ID of himself and the accused, if any. The complainant has furnished the same today itself.

Thereafter, the Ahlmad concerned shall indicate in the summons that if the accused makes an application for compounding of offence at the first hearing of the case and, if such an application is made, the Court may pass appropriate orders at the earliest and he shall also give a note on the summons along with the bank account number of the complainant asking the accused to deposit the cheque amount in the bank account of the complainant or that the accused may also make the payment to the complainant directly in cash or through bank demand draft on or before the date fixed for appearance of the accused; and in that eventuality, the case would come to an end. The accused may also inform the complainant or the Court about the payment through e-mail ID as provided above.

Keeping in view the above facts, there is sufficient prima facie ground to proceed against the accused u/s 138 of Negotiable Instruments Act. As a necessary corollary of the above discussion accused namely **Rubi** is hereby summoned to face trial for commission of offence u/s 138 of Negotiable Instruments Act. Summons be issued to the accused through all modes for **08.10.2026** on filing of registered cover, process fees, etc. Summons be taken dasti, if so desired.

Date of order: 12.08.2026

Amit Steno-III

(Aayushi Arora)
JMIC, Kurukshetra.
UID No. HR0694