

Present: Complainant in person with Sh. Yogender Gaur, Advocate.

Today the case was fixed for hearing both the parties for taking cognizance. However, Hon'ble Supreme Court in **Sanjabij Tari Vs. Kishore S. Borcar and Anr. 2025 INSC 1158** has held that no need for pre-cognizance summons to accused in Section 138 NI Act cases. Hence, arguments on the point of summoning of accused heard. A perusal of file shows that cheque dated 11.03.2025 was issued by the accused in favour of the complainant which was returned unpaid by the bank on 12.03.2025 due to ' **Funds Insufficient** '. The legal notice was issued to the accused on 08.04.2025 and the present complaint was filed in a period of limitation i.e. on 09.05.2025. In compliance of **In re:Expeditious trial of cases under Section 138 NI Act 1881, in Suo Moto Writ Petition (Crl.) No. 2 of 2020, and Subham Vaila @ Subham Walia Vs.Sarthak Blenders & Brothers Pvt. Ltd. and others passed by Hon'ble Punjab and Haryana High Court in CRM-M-1164-2025 (O&M) date of order dated 13.01.2025**, this court is of the considered opinion that from the perusal of the documents placed on record, there is sufficient evidence on record to show that sufficient grounds exist to proceed against the accused in terms of Section 225 of BNSS, 2023. Thus, from the complaint as well as documents, a prima facie case under Section 138 of N.I. Act is made out against the accused and hence, the accused be summoned for 15.07.2026 through electronic medium, N-STEP ordinary process, registered cover/AD, on filing of copy of complaint and other necessary compliance within three days. Dasti be given, if so desired.

If no one found present in the house then service should be done through affixation.

Long date is given due to heavy pendency of the cases in the court of undersigned and for targeted disposal of action plan cases.

23.12.2025

(Garima)

(Akash Saroha)

JMIC, Rewari

UID No. HR0676