

[Ct. Cases/3852/2017, 4723/2017, 13035/2017, 11375/2018, 7971/2018, 15535/2017](#)

DLCT020059992017, DLCT020074172017, DLCT020247142017,
DLCT020186122018, DLCT020075962018, DLCT020287472017

CISCO SYSTEMS CAPITAL INDIA PVT.LTD

Vs.

IYOGI TECHNICAL SERVICES PVT.LTD

27.09.2022

Vide office order no. 67/RG/DHC/2022 dated 11.02.2022, the matters are being taken up physically. As per directions of the Hon'ble High Court of Delhi in WP(C)2018/2021 and in the circular No. 2551/DHC/Gaz./G-2/2022 dated 11.05.2022, the video conferencing link of this court is kept open during court sitting hours and hybrid/VC hearing is permitted in those cases in which request is made in compliance with the said circular.

Present : None.

Be passed over till 12.00 PM for appearance of the parties.

(Visvesh)
MM, NI Act-06, Central District, THC
27.09.2022

At 12.00 PM

Present : AR of the complainant with Ld.counsel.

AR of Accused No. 1.

Accused no. 2, 3 & 4 in person.

Ld. Counsel for all the accused persons.

Notice u/s 251 Cr.P.C has been framed **against the accused No. 2 & 4 in CC Nos : 13035, 15535, 11375 & against accused no. 1, 2, 3 & 4 in CC No. 7971/18** to which they pleaded not guilty and claimed trial. Plea of defence has been separately recorded and explained to the accused persons.

Considering the defence taken by the accused pursuant to

framing notice u/s 251 Cr.P.C, a plausible defence has been taken by the accused 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 u/s 145(2) NI Act stands dispensed with. This Court further does not deem it appropriate/desirable to try the case summarily since sentence for imprisonment exceeding one year may have to be passed, if the trial results in conviction, therefore, this case would be tried as summons trial case.

At this stage, admission/denial of documents under Section 294 Cr. P.C. done. In view of the admission of the accused of his signature on the cheque, bank return memo and the address appearing on the legal demand notice, three witnesses cited in list of witnesses by complainant at serial no. 2 to 4 stand dropped from said list.

At this stage, the Ld.counsel for the accused states that it is not clear to the accused persons as to in what cases they have to furnish surety bonds. The accused no. 2 to 4 have been informed by this court that they need to file surety bonds in CC No. 13035/17, 15535/17, 7971/18 & 11375/18. Time has been granted for the said purpose till NDOH.

List the matter on 11.01.2023 at 2.00 PM for filing of surety bonds/CE.

The application for waiver of cost shall also be considered on NDOH.

(Visvesh)
MM, NI Act-06, Central District, THC
27.09.2022