

HDFC BANK LIMITED Vs RDS PROJECT LTD

Present: Sh. Rajiv Rana, counsel for complainant.

Argument heard. The present complaint has been filed by the complainant against the accused with the averments that the accused in discharge of his existing liability towards the complainant issued cheque **Ex. C2**. The complainant presented the above said cheque for collection but same was dishonoured with remarks “**Funds Insufficient**”. Legal notice sent to the accused but despite the legal notice, the accused did not honour the cheque amount and hence, the present complaint has been filed.

In order to substantiate the allegation of the complainant, the complainant besides tendering his affidavit, has also tendered the documents **Ex. C1 to Ex. C6**.

After perusing the record of the file, I am of the considered view that in the present case, the complainant has presented the cheque in question for collection within three months of its issuance. After receipt of information regarding dishonour of the cheque, he sent legal notice within time and the present complainant has been filed within time.

In view of my above discussion, all the ingredients of Section 138 of the Negotiable Instruments Act are fulfilled and the evidence on record is sufficient to summon the accused. Therefore, the accused be summoned to face trial under Section 138 of the Negotiable Instruments Act for **10.09.2026** on filing of PF/RC, copy of complaint etc. If the accused is not found at the stated address, summons be served by way of affixation. Dasti notice be issued, if so desired.

Date of Order: 05.03.2026
Meenu Stenographer Gr.-II*

(DR. SARIKA)
Judicial Magistrate - Ist Class,
Faridabad
UID No . HR00558