

CC No.773/2021
M/S. HDFC BANK LTD.
VS. RAGHWENDRA PRATAP SINGH

02.02.2021

Present: Sh. Sachin Katyal Ld. counsel for the complainant.
(Court Proceeding through Video Conferencing using Cisco Webex software).

1. This is complaint filed for offence punishable under Section 25 of The Payments & Settlement Systems Act, 2007 r/w Section 138 Negotiable Instruments Act. The original complaint along with the annexed documents are placed in the safe custody of Reader/Ahlmad. Complaint, affidavit of evidence and other annexed documents perused. I take cognizance of said offence.
2. On consideration of the complaint, annexed documents and the verification affidavit of the complainant in the light of law laid down in ***A.C. Narayanan vs. State of Maharashtra (2014) 11 SCC 790*** this Court is of the opinion that *prima facie* there are sufficient grounds for proceeding against the accused person for the commission of under Section 25 of The Payments & Settlement Systems Act, 2007 r/w Section 138 Negotiable Instruments Act. The complaint is filed within the period of limitation as prescribed under Section 142(1)(b) of the Negotiable Instruments Act. In terms of inquiry conducted under Section 202 CrPC, all the statutory requirements have been complied with.
3. Accordingly, let **accused Raghwendra Pratap Singh** be summoned on filing of PF, RC/ Speed Post/ approved Courier service/ for **27.03.2021**. Service of E-summons be also affected through SMS/Whatsapp/Other instant messaging service. The process server is directed to serve the summons by way of affixation, if premises are found closed or same could not be served personally or on any adult male member.
4. **Ld. Counsel is further directed to file duly filled mandatory NI Act Complaint Meta Data Form before filing first PF.**
5. An endorsement be also made that if application for compounding at the first or second hearing is made the court may pass appropriate orders at the earliest as per the judgement of *M/s Meters and Instruments (P) Ltd. v. Kanchan Mehta (2018) 1 SCC 560* and if settlement is made at the later stage then the consequences envisaged in *Damodar S. Prabhu Vs. Sayed Babalal H, AIR 2010 (SC) 1907* shall ensue.
6. Reader/Ahlmad is directed to send the copy of e-summons along with the copy of the digital case file to the Nazarat Branch to effect service of e-summons via E-mail, SMS and WhatsApp. Nazarat Branch is directed to file report regarding service of summons before the NDOH.
7. The Reader/Ahlmad is further directed to mention the official email id and video conferencing link of this Court on the summons. Complainant is directed to file PF and take steps within **07 days** including providing copy(ies) of the complaint otherwise the complaint may be dismissed U/s 204(4) Cr. P.C.
8. Accused is directed to appear before this court through video conferencing on Cisco Webex application through the permanent Cisco WebexVC Room ID <https://delhidistrictcourts.webex.com/meet/NIDigitalCourt06Southwest>.
9. Put up for **appearance of the accused/furnishing of bail/ consideration of notice on 27.03.2021 at 10:00 A.M.**

(MANUJ KAUSHAL)
MM (NI ACT)/DIGITAL COURT-06,
SOUTH WEST, DWARKA COURT,
NEW DELHI/02.02.2021