

HDFC Bank vs. Ramandeep Singh COMA-959-2026

Present: Sh. Atamjeet Singh Kahlon Advocate for the complainant.

Case received by way of transfer. It be checked and registered. As per proviso to Section 223 (1) of BNSS, 2023, opportunity has to be given to accused. Reliance is upon Jamuna Singh and others Vs. Bhadai Shah (Criminal Appeal No.56 of 1960 decided on 4.10.1963), where it was held that the moment court records statement of complainant in a complaint case, it amounts to taking cognizance.

It is however, made clear that this notice under proviso to 223(1) BNSS 2023 is not to be treated as summons and respondent is entitled to appear either in person or through counsel. The question of his being ordered to put in personal appearance and obtain bail would arise only after summoning order is passed.

Accordingly, let notice be issued to respondent for 02.05.2026 through ordinary process as well as through RC/AD.

Date of Order: 10.04.2026
Mamta Stenographer Gr-II
Directly dictated on computer

Divanshu Aggarwal, PCS
Judicial Magistrate, Ist Class
Patiala (PB0695)