5 CC NI ACT / 778/2026
HDFC BANK LTD Vs. MANSOOR TALIB /0 (Dwarka South)
6 CC NI ACT / 779/2026
HDFC BANK LTD Vs. ISHWAR PRASAD YADAV /0 ()
7 CC NI ACT / 780/2026
HDFC BANK LTD Vs. MINAKSHI /0 (Dwarka South)

<u>24.07.2026</u>
Present :- Mohd Sarik, Ld. Counsel for complainant.

Heard and perused.

On the basis of the material available on record, since there exists a prima facie case against the accused for the offence Section 25 The Payment and Settlement Systems Act (PASA Act) of 2007 read with U/s 138 of the Negotiable Instruments Act, 1881, hence cognizance is taken.

In light of the decision of full bench of Hon'ble Supreme Court of India cited as "***A. C. Narayan v. State of Maharashtra & Anr*.**" **(2014) 11 SCC 790**, this Court is of the considered opinion that there is no need to examine the complainant at this pre-summoning stage for the purpose of issuance of process against the accused persons.

At this stage, arguments on point of summoning heard. I have perused the complaint, evidence affidavit and the documents on record.

Prima facie, it appears that the e-NACH in question was issued by the accused person in favour of the complainant in discharge of legal liability. The e-NACH was dishonoured on presentation. Legal notice was served upon the accused person electronically through email. Despite the service of the notice, accused person has failed to make payment within the stipulated time. There are sufficient grounds for proceeding against the accused person.

Accordingly, let summons be issued to accused person through all modes on filing of PF within 15 days, returnable for NDOH.

The complainant is directed to place on record the tracking report of Speed Post/Registered AD on the next date of hearing positively.

Put up for appearance of accused person and bail proceedings/consideration on framing of notice on **11.01.2027.**

(Vinod Kumar)
Judicial Magistrate First Class-05
(South-West)/Dwarka/24.07.2026

VINOD KUMAR Digitally signed by VINOD KUMAR Date: 2026.07.24 17:19:41 +0545