

14.07.2026

The undersigned is also working as Ist Link of Ld. JMFC-03, West today.

Present : Sh. Vishnu Dutt, Ld. counsel for the complainant.

As per the directions issued by the Hon'ble Supreme Court of India in judgment CR. Appeal no.1755 of 2010 dt. 25.09.2025 titled as "Sanjabij Tari Vs. Kishore S Borcar and Anr.", the requirement of issuing pre-cognizance notice in terms of 223 BNSS has been dispensed with.

Arguments on the point of maintainability heard.

In view of the above, the complainant is deemed to have complied with Section 25 Payment and Settlement Systems Act, 2007 and the complaint is deemed to be filed within the period of limitation.

I have perused the complaint and the accompanying documents. Prima facie offence under Section 25 Payment and Settlement Systems Act, 2007 appears to have been committed. I hereby take cognizance of the same.

I have perused the complaint under Section 25 Payment and Settlement Systems Act, 2007, evidence by the way of affidavit of the complainant and the documents relied upon by the complainant. As per the judgment of Hon'ble Supreme Court in A.C. Narayanan vs. State of Maharashtra and Anr., (2014) 11 SCC 790 the examination of the complainant upon oath for issuance of process is a matter of discretion of the Magistrate. In the considered opinion of this Court, there is no need to examine the complaint for the purpose of issuance of process. No other witness is sought to be examined on behalf of the complainant at this stage. Accordingly, PSE stands closed. For the purposes of identification, the evidence affidavit is now marked as Ex-CW1/A.

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The complaint has been filed within the period of limitation and is within the jurisdiction of this court.

Relevant inquiry u/s. 202 CrPC conducted. On the basis of the averments contained in the complaint, the evidence by way of affidavit and the inquiry conducted by this court, there are sufficient grounds for proceeding against the accused in the present matter.

Let the accused Aabid Son of Majeed, be summoned on filing of PF/RC/Speed post including WhatsApp and email within 30 days from today. As per directions of Hon'ble Supreme Court of India summons be also given dasti to the complainant. In case of non availability/premises found locked/refusal, summons be served by way of affixation.

Summons be also sent through speed post and internet generated tracking report of summons sent through speed post be placed on record by NDOH.

Complainant is directed to file PF and to provide copy of complaint to the accused otherwise the complaint may be dismissed U/s. 204(4) Cr.P.C.

Put up on 24.12.2026.

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(GAURAV UJJWAL)
JUDICIAL MAGISTRATE, FIRST CLASS,
(NI ACT-01) WEST, THC, DELHI/14.07.2026