

MHMM180008182025



IN THE COURT OF THE JUDICIAL MAGISTRATE (FIRST CLASS)

AT COURT NO.58, BANDRA, MUMBAI

Summary Case No.52/SC/2025

Diebold Nixdorf India Private Limited

...Complainant.

V/s.

1. AGS Transact Technologies Ltd.

2. Mr. Ravi Goyal

(Managing Director of AGS Transact Technologies
Ltd.)

...Accused.

ORDER BELOW EXHIBIT- 1

Read complaint and verification statement. Perused documents. Heard advocate for the complainant.

2. In view of extensive Guidelines of Hon'ble Supreme Court in the case of *Sanjabij Tari Vs. Kishor S. Borcar, 2025, SCC Online S.C. 2069 dated 25.09.2025*, there is no necessity to issue notice under section 223 of BNSS 2023.

3. Averments made in the complaint are supported by an affidavit. Accused No.1 is Company and Accused No.2 is Managing Director of the Company. Accused No.2 is responsible for day to day affairs of accused No.1. The cheques are issued for debt of accused No.1. The address of accused No.1 and 2 are not within the limits of jurisdiction of this Court. However, during inquiry u/sec.225 of BNSS 2023, it reveals that cause of action has arose within the limits of

jurisdiction of this court. I found *prima- facie* substance and grounds to proceed against accused Nos.1 and 2 for dishonor of cheque and failure to pay the cheque amount on demand. Hence, issue process against the accused Nos.1 and 2 for the offence punishable u/sec.138 r/w. 141 of Negotiable Instrument Act on P. F.

4. Issue summons to accused Nos.1 and 2 along with the copy of the complaint, all documents and copy of affidavit of complainant's evidence with specific remarks as to liberty of accused Nos.1 and 2 to make an application for compounding of an offence and to pay the amount of cheque in question on the first date of hearing of the case as per the guidelines of Honourable Supreme Court.

5. Simultaneous service of summon to the accused by Dasti mode (Hamdust), electronic means that is E-mail, Messaging Application is allowed. Process **R/o. 28/10/2026.**

Sd/-

(B.S. Sankpal)

Judicial Magistrate (First Class)

58th Court, Bandra, Mumbai.

Date : 03.08.2026

SBA/-