

9 CC NI ACT / 23188/2026
AXIS BANK LTD Vs. Prabhu Goods
Carriers THROUGH ITS PROPRIETOR
PRABHU NARAYAN JHA
/0 (Palam village)

25.04.2026

Ld. Regular APP for the State is on leave today.

Fresh case is received. It be checked and registered as per rules.

Present:- Ms. Ananya Ld. Counsel for complainant through VC.

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 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 cheque in question was issued by the accused in favour of the complainant in discharge of legal liability. The cheque was dishonoured on presentation. Legal notice was served upon the accused. Despite the service of the notice, accused has failed to make payment within the stipulated time. There are sufficient grounds for proceeding against the accused.

Accordingly, let summons be issued to accused 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 and bail proceedings/consideration on framing of notice on 13.08.2026.

(Vinod Kumar)
Judicial Magistrate First Class-05
(South-West)/Dwarka/25.04.2026