

60 CC NI ACT

/

3665/2026

MONEYBOXX FINANCE LIMITED Vs. DEVENDRA SINGH

/0 (Preet Vihar)

27.07.2026

Present: Ld. Counsel for the complainant. (through VC).

1. In terms of the judgment passed by the Hon'ble Supreme Court of India in *Cr. APP. no. 1755/2010 in "Sanjabij Tari Vs. Kishore S. Borcar & Anr." passed on 25.09.2025*, it was directed in paragraph 36(E) that there shall be no requirement to issue summons for pre-cognizance hearing under the cases of Section 138 of NI Act. Hence, the matter is now proceeded directly on the consideration of the case on cognizance and summoning.
2. Prima facie offence u/s 138 NI Act, 1881 is made out. Accordingly, cognizance of the offence is taken. The PSE of the complainant is dispensed with in view of the judgment of the Hon'ble Supreme Court of India in *"AC Narayanan v. State of Maharashtra & Ors." passed on 13.09.2013*.
3. Materials on record suggest sufficient ground to summon the accused as per the memo of parties.
4. Accordingly, issue summons to the accused along with the copy of the complaint and documents, subject to filing PF/RC within 15 days from today. Summons be sent for service through all permissible modes including electronic modes.

5. The complainant is strictly directed to take the following steps for effecting service:

- a. *To serve the summons along with a copy of the entire complaint and document set through physical service, Post, and WhatsApp/Email.*
- b. *The complainant must annex a copy of this very Order along with the Summons and the Complaint set to ensure the accused is formally apprised of the Court's mandates prior to appearance.*
- c. *The complainant is required to file the service proof and affidavit on the next date of hearing for effective service and further proceedings, failing which the matter will be adjourned.*

Let the matter be listed for report on summons and appearance of accused on 01.12.2026.

(HARSHAL NEGI)
JMFC, MCD (East)
Karkardooma Courts/Delhi/27.07.2026