

57 CC NI ACT 385/2025

ASIF ALI

Vs.

RAHUL GUPTA

21.04.2025

Matter taken up through VC on CISCO Webex from Court room no. 408, New Building, KKD, Courts.

Fresh case received by way of assignment. It be checked and registered.

Present: Sh. Kundan Kumar, Ld. counsel for complainant with complainant.

Perusal of the record shows that present complaint has been filed on/after 01.07.2024, accordingly, the procedure mentioned in Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023 will be applicable to the present matter.

Section 223 BNSS which is applicable on a criminal complaint, makes it obligatory upon the Court to issue notice to the proposed accused and hear him before taking cognizance.

Issue notice to the proposed accused u/s 223 BNSS through all permissible modes on filing of PF. PF be filed within two weeks. Ahlmad is directed to mention in the Court notice that in case the accused fails to appear on date given in the Court notice then the Court will be at liberty to hear the matter on summoning of accused in the absence of accused.

Ld. Counsel for complainant is at liberty to file affidavit of personal service of the complainant through speed post/whatsapp and e-mail along with an affidavit U/s 63 Bhartiya Sakshya Adhiniyam (BSA), 2023.

Dasti copy of the notice be given to counsel for the complainant.

Put up for consideration/cognizance, appearance of complainant and appearance of proposed accused on 13.08.2025.

(ASHIMA LAKHANPALL)
JMFC (NI ACT) Digital Court-01
Shahdara/KKD/Delhi/21.04.2025