

27.09.2022

Proceedings conducted through video conferencing via Cisco Webex App.

Present - Sh. Prayag Singh Pawar, Ld. counsel for the complainant.

Copies of Aadhar Card of the accused and other ID proofs along with loan application form has been filed. Address of the accused as mentioned in the complaint is verified with the ID proofs.

Physical copies of documents have been submitted on behalf of the Complainant. The Reader/Ahlmad is directed to keep the documents in safe custody.

Arguments on summoning of accused heard. Complaint and documents filed therewith perused. The complaint appears to be well within the limitation period. Upon consideration of the complaint, documents filed and examination of complainant, prima facie there appears to be sufficient ground to proceed against the accused u/s. 138 N.I. Act. **I hereby take cognizance of the offence punishable u/s. 138 of Negotiable Instruments Act, 1881.**

Let the accused be summoned on filing of PF and the META Data form within 15 days through RC-AD, Speed Post/approved courier services and Whatsapp/Email returnable on 01.02.2023.

Endorsement be made to the effect that offence punishable under section 138 of the Negotiable Instruments Act, 1881 is compoundable by virtue of section 147 thereof, and should the Accused disburse/deposit the cheque amount on or before the first date of hearing, the complaint may be compounded in terms of ratio of judgment in the case of **Damodar S. Prabhu Vs. Sayed Babalal H. (2010) 5 SCC 663**.

Reader-cum-Ahlmad is directed to mention the official email ID and video conferencing link of this Court on the summons.

Put up for appearance of the accused on 01.02.2023.

(NAINA GUPTA)
MM-01 (N.I.Act)/Digital Court Central,
Tis Hazari Courts/Delhi/27.09.2022