

12.06.2026

Fresh complaint has been received by way of assignment. It be checked and registered.

Present: Mr. Madhav Pathak, Ld. counsel for the complainant along with proposed AR Vipul Kumar.

Present complaint is under section 138 NI Act.

Ld. counsel for the complainant has file an application seeking substitution of AR of the complainant bank. Ld. counsel for the complainant submits that previous AR has been transferred from the concerned branch of the complainant bank and therefore, requests that proposed AR may be substituted in place of the previous AR. General Power of Attorney executed by the complainant bank in favour of the proposed AR has been annexed with the application.

Heard. Allowed.

Vipul Kumar is the new AR of the complainant bank.

Fresh Pre-summoning evidence by way of affidavit is taken on record.

Complaint along with the annexed documents are perused. The present complaint has been filed within the period of limitation and within the jurisdiction of this Court. Therefore, this court finds sufficient material to proceed further and thus I take cognizance of the offence punishable u/s 138 NI Act.

In view of order of Hon'ble Supreme Court dated 16.04.2021 in Suo Motu WP (Crl.) No. 02/2020 titled as **"In Re: Expeditious Trial of Cases under Section 138 of the NI Act, 1881"**, an inquiry under Section 202 Code of Criminal Procedure, 1973 is made, as accused is resident of the area beyond the territorial jurisdiction of this court. On perusal of entire record, prima facie material is sufficient to proceed against the accused.

Following the law laid down in **A. C. Narayanan Vs. State of Maharashtra & Anr." (2014) 11 SCC 790**, complaint, affidavit of evidence and documents considered. In view of complaint, documents produced and verification in the form of affidavit of evidence, there are sufficient grounds for proceeding further against accused **Vipul Guptaa**, for offence punishable under Section 138 N.I. Act. Therefore, I hereby summon the said accused person.

Issue summons against the accused person, on filing of PF within 15 days, on returnable for 19.12.2026. Date is being given as per convenience of Ld. counsel for the complainant.

Let process be executed through all permissible modes including email/ whatsapp.

Complainant is directed to file PF mentioning the complete address, phone number and email ID of accused within five working days.

The process server is directed to serve the summons by way of affixation, if premises found closed or same could not be served personally or on any adult male member.

Put up for appearance/ supply of copy/ consideration on notice on 19.12.2026.

(Rahul Katare)
JMFC-06/SWD/Dwarka Court
New Delhi/12.06.2026