

9CC NI ACT/725/2021 DLSE020010252021

MANAPURAM FINANCE LIMITED Vs. BACHCHA YADAV

16.04.2021

Court through video conferencing using CISCO WEBEX Application

Present : Sh. Vinay Kumar, Ld. Counsel for the complainant.

(1) This is complaint filed for offence punishable under Section 138 N. I. Act. Complaint, affidavit of evidence and other annexed documents perused. The original complaint and documents are placed in the safe custody of the Reader-cum-Ahlmad of this Court. I take cognizance of said offence.

(2) 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 person(s) for offence punishable under Section 138 N. I. Act.

(3) The complainant side is directed to file metadata form before filing of PF. Thereafter, Reader-cum-Ahlmad to issue summons against the accused person on P.F./R.C./Approved Courier for **28.08.2021**. Service be also effected on the email, whatsapp message(s) and text message of accused person(s). Proof of service/tracking report be filed and updated in the digital file on or before the next date of hearing. To expedite appearance, dasti summons are permitted. 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.

(4) An endorsement be also made that if application for compounding at first or second hearing is made the court may pass appropriate orders at the earliest as per judgment of **M/s. Meters Meters and Instruments (P) Ltd. v. Kanchan Mehta, (2018) 1 SCC 560** and if settlement is made at subsequent stage the consequences as envisaged in **Damodar S. Prabhu v. Sayed Babulal H.; (2010) 5 SCC 663** shall be enforced.

(5) The Ahlmad is directed to mention the official email id and video conferencing link of this Court on the summons. Complainant is directed to **file PF after one week of reopening of the court** including providing copy(ies) of complaint otherwise the complaint may be dismissed U/s 204(4) Cr. P.C. Matter be fixed for **appearance of accused/furnishing of bail/consideration on notice on 28.08.2021 at 10:00 AM**.

(PARAS DALAL)
MM (NI Act) DIGITAL COURT-01,
SOUTH-EAST/ New Delhi/16.04.2021