

63 CT CASES / 1929/2025

ACG LEASING LIMITED Vs. ANKIT KUMAR

23.01.2026

Undersigned is also looking after the work of Link Court today.

Present: Ld. Counsel for the complainant

Matter is listed for consideration/ cognizance.

In view of the judgment of the Hon'ble Supreme Court of India, namely, *Sanjabij Tari Vs. Kishore S Borcar & Anr (Crl. Appeal No. 1755 of 2010)*, the requirement of issuance of the court notice at the stage of pre cognizance is dispensed with.

All the ingredients of the offence are available in the present case. Therefore, this court take cognizance of the offence punishable u/s 138 NI Act.

Arguments on the point of summoning of the accused heard.

In view of order of Hon'ble SC date 16.04.2021 in *Suo Motu WP (Crl) No. 02/2020 titled "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 conducted. On perusal of entire record, prima facie material is sufficient to proceed against the accused.

On perusal of the entire record including the complaint, affidavit and documents, i am satisfied that prima facie material is sufficient to proceed against the **accused ANKIT KUMAR.**

Summons be issued against the accused ANKIT KUMAR through post / approved courier service on filing of PF/RC. Counsel for complainant is also directed to fill the meta

data form and submit alongwith PF/RC. Service be also effectuated on the email, whatsapp message and text message to the accused's phone number and email IDs as provided by the complainant.

The process server is also directed that in the event of house / office / premises is found to be locked/refused to accept the service/any other contingency the process be served through affixation.

As per the guidelines laid down as in the case titled as “*Damodar S. Prabhu Vs. Sayed Babalal H, AIR 2010 (SC) 1907*”, Ahlmad is directed to make a mention on the summons issued against the accused (by adding separate sheet, if required) that “accused can make an application for compounding of the offence at the first and second hearing of the case and if such an application is made, compounding may be allowed by the Court without imposing any costs on the accused.”

Ahlmad is further directed to mention the official email ID and Video Conferencing link of this court on the summons. PF be filed within 10 days.

Matter be put up for appearance of the accused and framing of notice on 18.07.2026.

Copy of summons be given dasti to complainant for service.

GARIMA GARG Digitally signed
by GARIMA GARG
Date: 2026.01.23
13:15:06 +0530

(GARIMA GARG)

JMFC (NI ACT)-01 South East, Saket
New Delhi/23.01.2026