

10 CC NI ACT 3462/2026
Sunil Kumar Garg Vs. Vikas Atri

22.04.2026

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

Present: Complainant in person.
Sh. Shanu Ansari, Ld. Counsel for complainant.

The matter is at the stage of consideration.

File perused. All the statutory requirements under NI Act are complied with. After perusal of the entire record, this court is of the considered opinion that prima facie case punishable u/s 138 of NI Act is made out against the accused. Cognizance of the same is taken.

Perusal of case file reveals that cheque in question was presented for encashment and was returned dishonored vide return memo. Accused has failed to make payment within the legally prescribed period despite the service of legal demand notice upon him. The complaint is within the territorial jurisdiction of this court and is within limitation. Enquiry u/s 225 BNSS conducted by scrutinizing documents.

Arguments on summoning heard.

Following the law laid down in **A.C. Narayanan Vs. State of Maharashtra & Anr. (2024) 11 SCC 790**, complaint, evidence by way of affidavit and documents considered. In view of complaint, documents produced and verification in the form of affidavit there are sufficient grounds for proceeding further against the accused for offence punishable u/s 138 NI Act.

Issue **summons** to the **accused**, on filing of PF within **three months**, through all modes.

Complainant is directed to supply the soft copy of complaint and documents to the accused well in time.

In case of online service, complainant is directed to file requisite affidavit with contact details of the accused and certificate U/s 63 BSA to show due service through online mode. Complainant is directed to file proof of service.

Put up for **appearance of accused/ framing of notice/ furnishing of surety/ further proceedings** on 28.11.2026.

(URVI GUPTA)
J.M.F.C.-01(N.I.Act)/Central,
THC/Delhi/22.04.2026