

45 CC NI ACT / 704/2025
AMIT KUMAR Vs. KRISHNA KUMAR

29.05.2025

(Proceedings conducted through Cisco Webex)

Present: Sh. Ashish Balyan, Ld. Counsel for the complainant.

The present complaint has been filed on / after 1st July 2024 i.e after the enforcement and implementation of the Bhartiya Nagrik Suraksha Sanhita 2024 (hereinafter BNSS).

As per section 531, of the BNSS the present complaint shall be governed by provisions of BNSS and not by the Cr.P.C.

The Complainant is directed to deposit all the original documents including the cheque in question, returning memo bearing seal/stamp of the concerned bank, legal demand notice, proof of service of legal demand notice and its reply, if any. The complaint has to file the appropriate certificate required as per provisions of Section 63 of the Bhartiya Sakshya Adhiniyam 2024 to support the electronic record.

The same has to be deposited by the Complainant before the court within 7 days from today.

It is further made clear that Proviso I of the Section 223 of the BNSS clearly states that “no cognizance of an offence shall be taken by the Magistrate without giving the accused an opportunity being heard”

Accordingly, no cognizance of the present complaint shall be taken unless the accused is given appropriate and reasonable opportunity of being heard.

In view of the mandate of Section 223 of the BNSS, let court notice be issued to the proposed accused to appear before the court and argue as to why cognizance should not be taken of the present complaint. Let court notice to the proposed accused be issued through all permissible modes including the e-mode by the Nazarat Branch on filing of PF within seven days. Ld. counsel for the complainant is at liberty to assist the process server. Copy of complaint and annexed documents be also sent with the same.

Put up for appearance of the proposed accused and argument on the point of cognizance of the present complaint on **25.11.2025**.

(PRIYANKA GARTAN)
Judicial Magistrate First Class
(NI ACT) Digital Court No.2
North District Rohini Courts,
29.05.2025