

**HIGH COURT OF MANIPUR
AT IMPHAL**

Practice Directions

Imphal the, 30th October, 2025

No. HCM/Misc./89-Estt(V)/ In compliance with the directions of the Hon'ble Supreme Court in order dated 25.09.2025 passed in **Criminal Appeal No.1755 Of 2010** titled, **Sanjabij Tari Versus Kishore S. Borcar & Anr.** Hon'ble the Chief Justice, High Court of Manipur is hereby pleased to issue following practice directions for compliance by all concerned for Complaint under Section 138 of the Negotiable Instruments Act, 1881:-

- A. *"In all cases filed under Section 138 of the NI Act, service of summons shall not be confined through prescribed usual modes but shall also be issued dasti i.e. summons shall be served upon the accused by the complainant in addition. The Trial Courts shall further resort to service of summons by electronic means in terms of the applicable Notifications/Rules, if any, framed under sub- Sections I and 2 of Section 64 and under Clause (i) of Section 530 and other provisions of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023') like Delhi BNSS (Service of Summons and Warrants) Rules, 2025. For this purpose, the complainant shall, at the time of filing the complaint, provide the requisite particulars including e-mail address, mobile number and/or WhatsApp number/messaging application details of the accused, duly supported by an affidavit verifying that the said particulars pertain to the accused/respondent.*
- B. *The complainant shall file an affidavit of service before the Court. In the event such affidavit is found to be false, the Court shall be at liberty to take appropriate action against the complainant in accordance with law.*
- C. *In order to facilitate expeditious settlement of cases under Section 138 of the NI Act, the Sessions Judge of each District Court shall create and operationalise dedicated online payment facilities through secure QR codes or UPI links. The summons shall expressly mention that the Respondent/Accused has the option to make payment of the cheque amount at the initial stage itself, directly through the said online link. The complainant shall also be informed of such payment and upon confirmation of receipt, appropriate orders regarding release of such money and compounding/closure of proceedings under Section 147 of the NI Act and/or Section 255 of Cr.P.C./278 BNSS, 2023 may be passed by the Court in accordance with law. This measure shall promote settlement at the threshold stage and/or ensure speedy disposal of cases.*

- D. Each and every complaint under Section 138 of the NI Act shall contain a synopsis in the following format which shall be filed immediately after the index (at the top of the file) i.e. prior to the formal complaint:

Complaint under Section 138 of the Negotiable Instruments Act, 1881

I. Particulars of the Parties

- i. Complainant:
- ii. Accused:

(In case where the accused is a company or a firm then Registered Address, Name of the Managing Director/Partner, Name of the signatory, Name of the persons vicariously liable)

II. Cheque Details

- i. Cheque No.
- ii. Date:
- iii. Amount:
- iv. Drawn on Bank/Branch:
- v. Account No.:

III. Dishonour

- i. Date of Presentation:
- ii. Date of Return/Dishonour Memo:
- iii. Branch where cheque was dishonoured: _
- iv. Reason for Dishonour:

IV. Statutory Notice

- i. Date of Notice:
- ii. Mode of Service:
- iii. Date of Dispatch & Tracking No.:
- iv. Proof of Delivery & date of delivery:
- v. Whether served: _
- vi. If Not, reasons thereof: _
- vii. Reply to the Legal Demand Notice, if any _

V. Cause of Action

- i. Date of accrual: -----
- ii. Jurisdiction invoked under Section 142(2):

- iii. *Whether any other complaint under section 138 NI Act is pending between the same parties, If Yes, in which court and the date and year of the institution.*

VI. *Relief Sought*

- i. *Summoning of accused and trial under Section 138 NI Act*
ii. *Whether Award of Interim compensation under Section 143A of NI Act sought*

VII. *Filed through:*

Complainant/Authorized Representative"

- E. *That there shall be no requirement to issue summons to the accused in terms of Section 223 of BNSS i.e., at the pre-cognizance stage.*
- F. *The Trial Court shall be at liberty (at the initial post cognizance stage) to ask questions, it deems appropriate, under Section 251 Cr.P.C. / Section 274 BNSS, 2023 including the following questions:-*
- i. *Do you admit that the cheque belongs to your account? Yes/No*
ii. *Do you admit that the signature on the cheque is yours? Yes/No*
iii. *Did you issue/deliver this cheque to the complainant? Yes/No*
iv. *Do you admit that you owed liability to the complainant at the time of issuance? Yes/No*
v. *If you deny liability, state clearly the defence:*
a. *Security cheque only;*
b. *Loan repaid already;*
c. *Cheque altered/misused;*
d. *Other (specify).*
- vi. *Do you wish to compound the case at this stage? Yes/No*
- G. *The Court shall record the responses to the questions in the order sheet in the presence of the accused and his/her counsel and thereafter determine whether the case is fit to be tried summarily under Chapter XXI of the Cr.P.C./Chapter XXII of the BNSS, 2023.*
- H. *Wherever, the Trial Court deems it appropriate, it shall use its power to order payment of interim deposit as early as possible under Section 143A of the NI Act.*
- I. *Since physical courtrooms create a conducive environment for direct and informal interactions encouraging early resolution, the High Courts shall ensure that after*

service of summons, the matters are placed before the physical Courts. Exemptions from personal appearances should be granted only when facts so warrant."

Sd/-

**(KH. AJIT SINGH)
REGISTRAR (JUDL.)
HIGH COURT OF MANIPUR**

Endt. No. HCM/Misc./89-Estt(V)/ 22415 - 21

Imphal the, 30th October, 2025

Copy to:

1. *The Principal Secretary to Hon'ble the Chief Justice, High Court of Manipur.*
2. *The P.S. to Hon'ble Mr. Justice A. Bimol Singh, Judge, High Court of Manipur.*
3. *The P.S. to Hon'ble Mr. Justice A. Guneshwar Sharma, Judge, High Court of Manipur.*
4. *The Registrar General, High Court of Manipur.*
5. *All the District & Sessions Judges.*
6. *The System Analysts, High Court of Manipur.*
- He is requested to upload the same on the official website.
7. *Guard file.*



**REGISTRAR (JUDL.)
HIGH COURT OF MANIPUR**
