

**IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE,
NASHIK.**

S.C.C. No. 2321 of 2026.

M/s. Rich-field Fertilizers Pvt. Ltd.

Versus

Rahul Raghunath Wagh.

**ORDER
(Dated: 13th July, 2026)**

The present complaint is filed for the offence punishable u/sc. 138 of the Negotiable Instrument Act.

2. Complainant alleges that the accused in discharge of legal liabilities has issued the cheque and same is dishonoured. In spite of receipt of notice, he has not paid the cheque amount. Hence, he has committed the offence punishable u/sec. 138 of the Negotiable Instrument Act. The details of the essential elements constituting the offence are as follows.

Cheque No.000870 of Rs.32,79,184/-.

Date of Cheque.	Date of Dishonour.	Date of Notice.	Date receipt of notice.	Date of offence.	Date of complaint.
27.01.2026.	28.01.2026.	18.02.2026.	28.02.2026.	15.03.2026.	06.04.2026.

3. In view of ratio laid down in ***Sanjabij Tari V/s. Kishore S. Borcar & Anrs., SC-Cri.Appl. No. 1755 of 2010, dated 25.09.2025***, there is no need to issue show cause notice to accused. ***In view of ratio of Hon'ble Constitutional Bench Judgment dated 16.04.2021 of Apex Court In Re; Expeditious Trial of Cases Under Section 138 of N. I. Act, 1881 in Suo Moto Writ Petition (Cri.) 02 of 2020***, I have perused the

documents attached with the plaint for the purpose of inquiry u/sec. 225 of Bharatiya Nagarik Suraksha Sanhita, 2023,

4. On perusal of the complaint, affidavit, verification affidavit and the documents specifically cheque, memo, Tax invoice etc., filed along with it, this Court is satisfied that a prima-facie case is made out against the accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. Hence, **issue process against the accused** for the offence punishable **u/s. 138 of the Negotiable Instruments Act, 1881**, in the prescribed format.

Date: 13th July 2026.

(K. H. Patil)
Additional Chief Judicial Magistrate,
Nashik.