

In the Court of Sri Praveen Kumar, Judicial Magistrate, First Class, Dehri-On -Sone
Complaint Case No:59 /2023

Loknath Singh Vs. Motilal Chaudhary

Serial Number of Order	Date of Order	Order with initials of the Magistrate.	Office notes as to action taken on order (if any) and date
1	2	3	4
	01.07.2023	Record has been put up today for orders after completion of inquiry under section 202 Cr. PC, 1973 and hearing on the point of summoning. This complaint petition has been filed by Loknath singh against Motilal Chaudhary for the offences punishable under sections 406 & 420 of IPC and section 138 of NI Act, 1881. It has been submitted by the complainant that the accused person had given him a cheque of Rs. one lakh to him; however, when he presented the said cheque in the bank then the same got dishonoured for the reason "account closed". Thereafter, a legal notice was given by her within the statutory period of one month from the date of information received by him regarding dishonor of the cheque but the accused person has refused to receive the said notice. SA of the complainant has been filed on affidavit. Besides that, complainant has also placed on record photocopy of cheque dt. 25/12/2022 issued by accused, return memo report, legal notice sent to the accused, etc. An inquiry u/s 202CrPC was also conducted in the matter to the extent of examination of documents placed on record by the complainant. Heard the Ld. counsel of the complainant and after perusal of Complaint petition, SA of the complainant and documentary evidence available on the case record, it appears that the cheque issued by the accused got dishonored for the reason "account closed". The complainant sent a legal notice to the accused but he refused to receive the same. In view of aforesaid facts, this court finds that prima facie sufficient materials are record against the accused Loknath Singh for the offence punishable under section 138 of NI Act since the	