

COURT OF JM I CLASS, PUPRI AT SITAMARHI

Baby Chaudhary vs Ram Vinay Shah and Ors

Complaint Case No. 284/2022

14.09.2022	The file is put before me for inquiry and order on the point of summoning the accused persons after inquiry. The learned SDJM took cognizance and transferred the file to my court for inquiry and disposal as per law. The complainant Ram Umesh Chaudhary has filed this complaint against Ram Vinay Shah and one other accused person. Pairvi of the complainant is on the record. After taking inquiry statement of witness I.W.1 Vimal Kishor Singh and the inquiry is closed today. The record is fixed for order. <u>EVIDENCES ADDUCED DURING INQUIRY</u> The complainant has stated that she has given the amount deposited the cheque No.466570 dated 23.06.2022 of Rs.14,70,000/- from the account No. 9024002100000486 of PNB bank maintained in name of Amrit Manthan Floor Mill Pvt Limited owned by Vade Shah and Ram Vinay Shah and after depositing the cheque into her account and thereafter he received receipt on which is written that the account is drawer's account is already closed and also the report by bank Manager regarding the said cheque is available on the record stating that the drawer's account was closed prior to the issuing of cheque and that's why the cheque was bounced and on 13.08.2022 the legal notice was received by drawer and after no reply from him the complainant has lodged this case on 39.08.2022. <u>ORDER</u> From the perusal of case record and documentary	
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	material available on record, it transpires that the complainant has complied the mandatory requirement within the specified time period mentioned in the section 138 of Negotiable Instrument (NI) Act. Therefore the complainant has established the prima facie case against the accused (1) Vade Shah and (2) Ram Vinay Shah under section 138 of Negotiable Instrument Act. The Complainant is directed to file requisites for issuing summons to the accused person within fifteen days. If necessary compliance is made out by the complainant then office-clerk is directed to issue summons to accused person. Dated _____ is fixed for the appearance of the accused. J.M. Ist Class	
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