

MHMM180073772022



Summary Cases/5800504/2022
KRYFS POWER COMPONENTS LTD. Vs.
IMP POWERS LIMITED

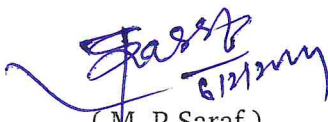
IN THE COURT OF METROPOLITAN MAGISTRATE, 58TH COURT, BANDRA,
MUMBAI
ORDER BELOW EXH.01

Read complaint and verification affidavit. Perused documents filed on record. Heard advocate for the complainant. The contents of the complaint are supported by affidavit. Accused No.1 is the company and 2 to 6 are responsible the then directors and persons for and looking after day to day affairs of accused No.1 company on the date of transaction and giving cheque. The cheque in question is issued for accused No.1 Company which went in liquidation after date of transaction. The accused are not residents within the limits of jurisdiction of this court. However, during inquiry u/sec.202 of Cr.PC. it reveals that cause of action has arose within the limits of jurisdiction of this court. Even if accused No.1 company went in liquidation, I found sufficient grounds to proceed against the accused persons on the basis of inquiry held under section 202 and documents on record. Prima facie substance is found to proceed against accused Nos.2 to 6 for dishonour of cheque and failure to pay the cheque amount on demand. Hence, issue process against the accused Nos.2 to 6 for the offences punishable u/sec.138 r/w. sec.141 of Negotiable Instrument Act on PF.

3. The summons to accused Nos.2 to 6 be sent alongwith the copy of the complaint, all documents annexed to the complaint and copy of affidavit of complainant's evidence with specific remarks as to liberty of accused Nos.2 to 6 to pay the amount of cheque in question on the first date of their appearance in the case as per the guidelines of Honourable Supreme Court.

4. Process R/o.23.04.2024.

Date : 06.02.2024


(M. P Saraf)
Metropolitan Magistrate,
58th Court, Bandra, Mumbai.
J.O.Code: MH01362