

MHMM110095542019 	<u>IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS), 28TH COURT, ESPLANADE, MUMBAI.</u> (Presided over by : Subhash L. Phule)
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ORDER BELOW COMPLAINT EXH. NO.01

01. The complainant filed this complaint for the offence punishable under **Section 138 of The Negotiable Instruments Act, 1881.**
02. The complainant and Ld. Adv. are **absent.**
03. The complaint is pending ineffective since long due to absence of the complainant to apply for effective steps or process under **Chapter V and VI of The Criminal Procedure Code, 1973.**
04. Judicial Clerk filed his report **Exh.No.04** on **25.06.2026**. No steps taken from **31.08.2023**. Case is **NOT HEARD**. No writ is pending.
05. The complainant was directed to take effective process by perusing record of the case, to secure presence of the accused by order dated **29.09.2025** passed below complaint **Exh.No.01**. Thereafter, the complaint is fixed for steps on **02.01.2026**, **27.04.2026** and **today**, but in vain. Hence, following order is passed :

ORDER

01. Complaint stands **dismissed** under **Section 256 of the Code of Criminal Procedure, 1973** due to absence of the complainant.
02. The accused stands acquitted of the offence punishable under **Section 138 of The Negotiable Instruments Act, 1881.**
03. Bail bonds, if any, of the accused stands discharged.
04. Proceeding stands closed.

Date : **25.06.2026.**
Place : Mumbai.

(Subhash L. Phule)
(J.O. Code-MH02125)
Judicial Magistrate (First Class)
28th Court, Esplanade, Mumbai.