

IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS)

28TH COURT ESPLANADE MUMBAI.

(Presided over by : Subhash L. Phule)

ORDER BELOW COMPLAINT EXH.01

01. Perused the complaint, documents and examination of complainant Exh.No.06 and 07 recorded under Section 223 and 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

02. Heard **Ld. Adv. Shri. Sunil D'Souza** for the complainant.

03. Perusal of examination of the complainant prima facie shows that, the accused issued **cheque Nos.618968 and 618967 for Rs.50,00,000/- each dated 09.12.2019 respectively** drawn on **Axis Bank Ltd., Fort, Mumbai** in favour of the complainant for the discharge, in whole or in part, of any debt or other liability, the complainant presented said cheques for payment in its bank account within limitation and cheque returned unpaid with endorsement '**payment stopped by drawer**' on **20.12.2019**. The complainant issued legal demand notice dated **14.01.2020**, posted on **18.01.2020** and the accused received it on **11.02.2020** and failed to make payment within 15 days of its receipt or and thereby committed an offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and within my cognizance. I am satisfied that there is sufficient ground to proceed against the accused for the aforesaid offences. Hence, I pass following order :

ORDER

01. Issue process against the accused **Nos.01 to 03** for offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

- 02.** The complainant is directed to produce as many copies of the complaint and documents as there is accused.
- 03.** Issue summons to the accused returnable on **23.06.2026**. Copies of the complaint and documents be annexed with the summons.

Sd/-

(Subhash L. Phule)
(J.O. Code-MH02125)

Judicial Magistrate (First Class)
28th Court, Esplanade, Mumbai.

Date : **25.04.2026**.
Place : Mumbai.