



C.C.No.5800334/SC/2023

**S.H.A.M.K. MERCANTILE PVT.
LTD., Vs. HEMAKSHI GUPTA**

**IN THE COURT OF METROPOLITAN MAGISTRATE, 58TH COURT,
BANDRA, MUMBAI
ORDER BELOW EXH.1**

Read the complaint, verification. Perused the documents filed on record. Heard the Ld. Counsel for the complainant. The contents of the complaint are supported by affidavit. The cheque in question is issued by the accused. The accused is not residents within the limits of jurisdiction of this court. However, during inquiry u/sec.202 of Cr.P.C. it reveals that cause of action is arose within the limits of jurisdiction of this court. I found substance and grounds to proceed against the accused on the basis of inquiry held and documents on record. Prima facie substance is found to proceed against the accused for dishonour of cheque and failure to pay the cheque amount on demand. Hence, issue process against the accused for the offences punishable u/sec.138 r/w.sec.141 of Negotiable Instrument Act on P.F.

2. The summons to the accused 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 the accused to pay the amount of cheque in question on the first date of his appearance in the case as per the guidelines of Honourable Supreme Court.

3. Process R/o.15.09.2023.

Mumbai,
Dated : 23.06.2023

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