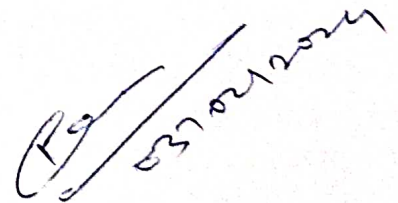


ORDER BELOW EXH.1 IN SCC NO. 3659/2024

[Mr. Mahesh Vs. Mr. Sushil]

Perused the complaint along with affidavit of evidence filed through online mode. Heard learned counsel for the complainant. Perused the verified documents filed on record by the complainant in compliance of the directions of the Hon'ble Apex Court in the case of **Indian Bank Association Vs. Union of India**. On perusal of the alleged cheque bearing no. 000023 dated 06/07/2023 in the complaint, it appears that it had been issued from the account of accused no.2 namely Neelima Sushil Todankar and he is also signatory of the cheque. Prima-facie the material ingredient to constitute the offence is made out against the accused no.2 only for the offence punishable under section 138 of the Negotiable Instruments Act, 1881. Hence, process be issued against the accused no. 2 only for the offence punishable under section 138 r/w. Section 142 of the Negotiable Instruments Act, 1881. Simultaneous service of copy of summons to the accused through RPAD/Speed Post with acknowledgement is allowed as per section 144 of the Negotiable Instruments Act, 1881. Complaint is dismissed against accused no. 1 only.

Date : 03/02/2024
Pune


(N. S. Bari)
7th Jt.C.J.J.D. & J.M.F.C., Pune.