

CNR No:PBBT030142872024 CASE No:NACT-1356-2024

Cholamandalam Investment and Finance Company Ltd. Vs. Sunita Rani

Present: Sh. Gurpreet Singh and Sh. Harjeet Singh, Proxy counsel for the complainant.

Bailable warrant of arrest issued against accused received back with a report of accused not met despite raid being conducted but none appeared on behalf of the accused. This court is satisfied that accused despite having knowledge of the pendency of the present case, accused is intentionally avoiding the service of the court. Legislature has contemplated that trial of offence u/s 138 N.I.Act is to be completed within a period of six months. This court is of the view that the presence of accused cannot be procured despite issuance of process. Accordingly, court is satisfied that accused cannot be served through ordinary process and coercive steps are to be taken to procure the presence of the accused. As such, accused is ordered to be served through non-bailable warrants of arrest for 09.09.2026.

Date of Order: 28.07.2026
Sameer, Stenographer Gr.II

(Shruti)
Judicial Magistrate Ist Class,
Bathinda
UID No.PB00564

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Accused in person with counsel Sh. Jaspreet Singh, Advocate.

At this stage file taken up again Sh. Jaspreet Singh, Advocate has appeared and filed power of attorney on behalf of the accused Sunita Rani and also moved an application for granting bail on behalf of accused. Heard. Since, the offence under Section 138 of Negotiable Instruments Act is bailable in nature. Accordingly, accused namely Sunita Rani is hereby ordered to be released on bail on furnishing of her bail bonds in the sum of Rs.15,000/- with one surety in the like amount. Further, Ld. Counsel for the accused has also requested to release the accused on personal bonds on the ground that he will arrange the surety bonds on the next date of hearing. Request heard and allowed. Personal bonds furnished on behalf of accused, which are accepted and attested.

Intimation be sent to the concerned police station with regard to the surrender of accused before this Court. Bail application along with order be tagged with the main case file. Surety bonds on behalf of accused be also furnished on the date fixed.

Arguments heard on notice of accusation. File perused. From the contents of complaint, preliminary evidence and attached documents, this Court finds that there is sufficient evidence to serve accused notice of accusation under Section 138 of NI Act. Thus, finding a prime facie case, notice of accusation has been served upon the accused, the contents of which have been read over and explained to the accused in vernacular, to which he pleaded not guilty and claimed trial. He also stated that he wants to cross examine the complainant and his witnesses, if any. A perusal of documents placed on file reflects that it would not be appropriate to try the instant complaint as a summary case as the matter requires thorough consideration. For proper adjudication of the matter, the accused needs fair opportunity to cross examine the complainant and would also need opportunity to lead evidence in defence.

Ld. counsels for the parties have again stated at bar that there are chances of compromise between the parties. One opportunity is hereby granted to the parties to explore the chances of compromise by way of Alternative Dispute Resolution Mechanism. Henceforth, the matter now stands referred to the mediation cell of District Legal Service Authority for exploring the chances of compromise between the parties by way of Mediation. Both the complainant and accused are now directed to appear before the mediation cell on 10.08.2026 at 10:00 AM sharp. Let the Mediation referral order, copy of the head note of the complaint and copy of zimny order being passed today be now forwarded to Mediation Cell at the earliest for 10.08.2026. Ahlmad is directed to send the file to the mediation cell. Now to come upon 27.08.2026 for awaiting report from Mediation Centre.

Date of Order: 28.07.2026
Sameer, Stenographer Gr.II

(Shruti)
Judicial Magistrate Ist Class,
Bathinda
UID No.PB00564