

(CNR : MHNS110051502022)



SCC NO. 944/2022.

Santosh Vibhute.

Vs.

Sanjay Rote.

ORDER BELOW EXH. 8.

The complainant is seeking grant of interim compensation of 20 % of the cheque amount from the accused.

2. It is submitted by the complainant that, he has filed this case under Section 138 of the Negotiable Instruments Act. The accused be directed to pay interim compensation of 20% of the cheque amount.

3. The accused has opposed the application submitting that, false case and application is filed.

4. On perusal of record, it appears that, *prima-face* case was made out against the accused. Hence, process was issued against him. He appeared and pleaded not guilty. Hence, it would be just and proper to give interim compensation to the complainant. But, 20% amount claimed by complainant is huge. Hence, 10% amount is just and proper. Therefore, considering facts and circumstances of the case, I proceed to pass the following order :-

-:: ORDER ::-

1. Application is partly allowed.
2. The accused shall pay interim compensation of Rs.20,000/- (Rupees Twenty Thousand only) to the complainant within 45 days.

Sd/-xxx

(Aarti L. Saraf)

Place : Niphad.

Addl. Chief Judicial Magistrate,

Date : 02/03/2024.

Niphad.