

MHMM180124252024



Summary Cases/5800603/2024

**Ms Olympia Games And Toys Pvt Ltd vs. BHARAT
KARVA Proprietor of Ms RAGHAV SHOPEE**

**IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS),
58TH COURT, BANDRA, MUMBAI
ORDER BELOW EXH.1**

Read the complaint, verification. Perused the documents filed on record. Heard advocate for the complainant. The accused failed to exercise right of hearing U/sec 223 of BNNS 2023 despite due service of notice by registered post upon him.

2. The contents of the complaint are supported by affidavit. The cheque in question is issued by accused for the legal liability or debt. Accused is not resident within the limits of jurisdiction of this court. However, during inquiry u/sec.225 of BNSS, 2023, it reveals that cause of action has arisen within the limits of jurisdiction of this court. I found substance and grounds to proceed against accused on the basis of inquiry held and documents on record. Prima facie substance is found to proceed against accused for dishonour of cheque and failure to pay the cheque amount on demand. Hence, issue process against accused for the offences punishable u/sec.138 of Negotiable Instrument Act on P.F. vide section 227 of BNNS 2023.

3. The summons to 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 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.

4. Process R/o.12.08.2025

Mumbai,
Dated : 25.04.2025

(M. P. Saraf)
Judicial Magistrate(First Class),
58th Court, Bandra, Mumbai.
J.O.Code – MH01362

CERTIFICATE

I affirm that the contents of this P.D.F file Order are same, word to word as per the original Order.

Name of Stenographer	: Ms Shama Nitin Naiksatam
Court	: Judicial Magistrate(First Class), 58 th Court, Bandra, Mumbai.
Dictated in open court on	: 25.04.2025.
Transcribed and Typed on	: 25.04.2025.
Order printed and Signed on	: 25.04.2025.
Order Uploaded on	: 25.04.2025.