

Criminal Inquiry No.29/2026

Order Below Exhibit-1.

1. The present matter was kept under inquiry as the accused is residing beyond the territorial jurisdiction of this court according to the ratio of the Honorable Supreme Court in Case of Expeditious Trial of Cases under Section-138 of N.I.Act-AIR 2021 SC 1957.It has also been held in paragraph 24(3) that the magistrate can restrict the inquiry to the examination of documents.
2. Perused the record of the case as well as the original documents produced by the complaint and the affidavit verification of the complaint. It can be inferred from the record that the cheque was issued by the accused and it has been presented by the complaint in the account maintained by him at Chanasma. From the return memo it can be ascertained that the cheque has got dishonored and legal notice was issued to the accused which is served on him. Prima facie there are grounds to initiate the proceedings under Section-138 of the Negotiable Instrument Act against the accused.
3. In the Present case from the documents itself it can be ascertained that there is a prima facie case and sufficient grounds against the accused and hence the following order is passed.

:- ORDER :-

1. According to Section-227 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the Process is ordered to be issued against the accused for the offences under Section-138 of the Negotiable Instrument Act. Returnable on 09.04.2026.
2. This Criminal Inquiry is disposed of and the complaint is to be registered as the Criminal Case.

Pronounced and declared in open court on 7th of March of Year of 2026.

Date:-07.03.2026.
Chanasma.

(U.G.PATHAN)
Judicial Magistrate First Class,
Chanasma.
JUDGE CODE-GJ01574