

21.07.2023

Present: Sh. Rajesh Kumar, Counsel for the complainant.
Sh. Chandan Kumar, Counsel for the accused alongwith
accused.
Surety also present in person.

Considering the overall facts and circumstances of the case, accused is admitted to Court bail on furnishing his personal bond in the sum of Rs. 50,000/- with one surety of like amount. Surety bond furnished by the accused. Considered and same are accepted.

Notice u/s 251 Cr.P.C has been framed against the accused to which he pleaded not guilty and claimed trial. Plea of defence has been separately recorded and explained to the accused.

Counsel for the accused has moved an oral application U/s. 145(2) NI Act. Same is considered and allowed in view of the fact that an opportunity for cross examination of the complainant is fit to be given to the accused u/s 145(2) NI Act. The need for filing a formal application u/s 145(2) NI Act stands dispensed with. This Court further does not deem it appropriate/desirable to try the case summarily since sentence for imprisonment exceeding one year may have to be passed, if the trial results in conviction, therefore, this case would be tried as summons trial case.

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Admission and denial of documents U/s. 294 Cr.P.C has been done. The accused does not deny the cheque or the signatures on the cheque. In view of the same, witness mentioned at Sr. No. 2 & 3 in the list of witnesses filed by the complainant stands dropped.

It is submitted by Ld. Counsel for accused that there is scope of mediation in the present matter. Accordingly, the AR of the complainant is directed to be present before the Court on NDOH.

Put up the matter for reference to mediation / further proceedings on **22.09.2023**.

(Pankaj Rai)

M.M.-05 (NI Act) NDD/RAC

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