

Complainant has filed this complaint seeking penalizing the accused for offence punishable U/s 138 NI Act.

He also filed sworn statement by way of affidavit in other words evidence on affidavit, and documents along with complainant. In view of direction given by **Hon'ble apex court in judgment reported in (2014) 5 SCC 590 (Sri. Ravi kumar A.M. V/s Sri prakash Kumar)** above affidavit is treated as the evidence of complainant by way of affidavit.

Heard.

Perused the complaint and affidavit and documents produced along with the complainant as well as list of witness.

Complainant and his counsel present and filed his affidavit as sworn statement as PW-1 and got marked **Ex.P-1 to Ex.P-7** and Ex.P2a marked.

Perused the material on the record.

On perusal if the same at this stage prima facie they constitute the Offence U/s 138 NI act and there is sufficient material to proceed against the accused for above said offence.

Hence, I proceed to pass following.

ORDER

Cognizance of the offence is taken against the accused for offence punishable U/s 138 NI act.

Register the Criminal case against the accused in register number.

Issue summons to accused through court, Speed Post and by Hand.

Returnable by **02-07-2026**.

IV ASCJ & ACJM