

ORDERS

This is a private complainant filed by the complainant against the accused for the offence punishable U/Sec.138 and 142 of Negotiable Instrument Act.

Heard the learned counsel for the complainant and perused entire materials available on record.

As per the documents, Cheque dtd:23-06-2022, it is presented on 08-09-2022 and Bank Endorsement dtd:09-09-2022, thereafter Legal Notice is issued on 23-09-2022, same was returned on 27-09-2022, the cause of action arose on 12-10-2022 and the complaint is filed on 10.11.2022, which is within period of limitation as contemplated U/Sec.138 of N.I. Act.

The sworn statement of complainant has recorded and accordingly, he has examined as PW1 and got marked Ex.P-1 to Ex.P-8. Hence, it prima-facie appears that the complainant has complied all the mandatory requirements of the Section 138 of Negotiable Instrument Act which clearly goes to show that the complainant has made out prima-facie case to proceed against the accused for the alleged offence U/Sec.138 and 142 of N.I. Act. Accordingly, I proceed to pass the following:

ORDER

Acting U/Sec.200 of Cr.P.C. cognizance is hereby taken against the accused for the offence punishable U/Sec.138 and 142 of N.I. Act.

Accordingly office is directed to register the case in Criminal Case against the accused for the offence punishable

U/Sec.138 and 142 of N.I. Act.

The learned counsel appearing for the complainant submitted the mobile number of the accused and sought to issue summons through SMS. Hence, issue summons to the accused through SMS (CIS) and also issue SS to the accused through RPAD if required PF paid.

Returnable by:

XVII ASCJ & ACMM, Bengaluru.