ORDER UNDER SECTION 202 FOR POSTPONEMENT OF ISSUE OF PROCESS BELOW EXH. 1 IN S.C.C. NO. 170559/2024.

Perused the complaint which is filed for the offence punishable under Section 138 of N.I. Act. It seems that the accused is residing at a place beyond the area in which this court exercises territorial jurisdiction. Therefore, in view of Section 202 of the Code of Criminal Procedure, 1973 and more particularly in view of the practice directions issued by Hon'ble the Supreme Court of India on 16/04/2021 in Suo-moto writ petition (Cri).No. 2/2020 titled "In Re: Expeditious Trial of Cases under section 138 of Negotiable Instrument Act, 1881, an inquiry shall be conducted by postponing the issuance of process under Section 202 of the Code, so as to arrive at sufficient grounds to proceed against the accused. Therefore, considering the nature of the offence punishable under Section 138 of N.I. Act, there is need to conduct the inquiry by this court for the purpose of deciding whether or not there is sufficient ground for proceeding against the accused. Hence the order-

O R D E R

1. The complainant shall submit his affidavit in support of the transaction along with the affidavits of witnesses, if any.

2. The complainant shall also file the documents, if any, in relation to the transaction in question.

Sd/-

Date: 10/01/2025 **(S.R. Badve)**

Pune. 14th Jt. C.J.J.D. & J.M.F.C., Pune.