

Rajesh Kumar Vs Rohit Kumar

Present: Sh.Gulshan Mittal Advocate for complainant.

CW-1 Rajesh Kumar is present and examined and closed the preliminary evidence.

Heard. CW1 Rajesh Kumarr has tendered into evidence his affidavit Ex.CW1/A and closed the preliminary evidence today. Heard. The complainant has filed the present complaint with the averments that the accused in order to discharge his legal liability issued cheque in dispute in her favour. When he presented the said cheque in the bank for encashment, it was returned by the banker of the accused vide memo with the remarks "Funds Insufficient". Thereafter, he got issued a legal notice asking the accused to make the payment within a period of 15 days from the receipt of notice but the accused has not returned the amount. So he has been constrained to file the present complaint.

In preliminary evidence, complainant herself stepped into the witness box as CW1 and tendered her affidavit Ex. CW 1/A. He also tender cheque Ex.C1, memo Ex.C2, legal notice Ex.C3, postal receipts Ex.C4 and tracking report Ex. C5.

From the perusal of oral and documentary evidence adduced on the file in preliminary evidence by the complainant, sufficient ground made out to summon the accused Rohit Kumar, under Section 138 of the Negotiable Instrument Act. Accordingly, the accused Rohit Kumar is ordered to be summoned through RC/AD to face trial for having committed an offence U/s 138 NI Act, on filing of PF/RC/AD of complaint within seven days for 17.07.2026. Ordinary process be also issued. Dasti summons be issued if desired.

Date of Order: 19.05.2026
Sandeep

Roopa Dhaliwal
Chief Judicial Magistrate,
Sri Muktsar Sahib
UID No . PB00350