

Complainant is present and advocate for complainant is present and filed complaint u/Sec. 223 of B.N.S.S. for the offence punishable u/Sec. 138 of NI Act.

Complainant sworn statement is recorded. Examined as PW.1 and got marked **Ex.P.1 and Ex.P1(a) are the Cheque No.000021, dated: 13.10.2025 & accused signature, Ex.P.2 is the Bank endorsement dt:14.10.2025, Ex.P.3 is the Office copy of Legal Notice dt: 03.11.2025, Ex.P-4 & 5 are the postal receipts, Ex.P-6 is the RPAD acknowledgment, Ex.P7 & 7(a) are the Unserved postal cover is opened in the court and legal notice is marked and also postal cover is marked and Ex.P8 & 8(a) are the Bank statement and Transaction.**

Heard the counsel for complainant and perused the materials on record. The complainant has made out a ground to proceed against the accused for the above said offence. Hence I pass the following :

ORDER

As per the decision of Hon'ble High Court of Karnataka in Ashok V/s Fayaz Aahmad, reported in NC: 2025: KHC-D:6966, the Hon'ble High Court held that there is no need of issuing Notice to the accused before taking the cognizance.

In furtherance of the above mentioned decision and considering the facts and evidence Cognizance is taken for the offence punishable U/Sec.138 of NI Act.

Register as CC in Registered III and issue summons to accused through Speed Post, if PF paid and copy of complaint is produced as per Sec.227 of B.N.S.S.,

R/by : 25.05.2026.

**II Addl. Civil Judge & JMFC,
Doddaballapura.**