

CC 155/2024

Counsel for accused has advanced the above case from 05-02-2026 to today. Accused present.

Further submitted that the accused may be permitted to deposited the cash surety. Permitted.

Substance of the accusation for the offence punishable under section 138 NI Act is framed and read over to the accused in Kannada language known to him. He denied the same and claimed to be tried.

Further the statement of Accused is recorded under section 313 of Cr.P.C by explaining the incriminating evidence appeared against him in the evidence of complainant side as per the directions of Hon'ble Apex Court in Indian Bank Association case reported in AIR 2014 SC 2528. He denied the incriminating evidence and submitted that he has defence.

Accused submitted that he has no self serving statement, but he has defence evidence.

By looking into the submission of the accused it appears that the above case could not be tried in summary proceedings as the accused has pleaded that he has defence in the above case. As such the above matter will be tried as per summons trial. Counsel for complainant submitted that the complainant has no fresh evidence. Further submitted that the earlier evidence recorded during the course of enquiry be itself treated as evidence of complainant.

Application filed by the Accused U/Section 145(2) of NI Act is hereby allowed.

For Cross Examination of PW1.

Call on 05-02-2026.

SD/-
CJ and JMFC; Sringeri.