

Case called out. Accused present. Sri.HEM adv., files vakalath for accused.

Further filed application U/sec.72(2) of BNSS for recall of NBW. Allowed. NBW issued against accused is recalled.

Further, filed bail application under section 478 of BNSS and sought to release the accused in the above case for the commission of alleged offences punishable under section 138 of NI Act along with application U/sec.490 of BNSS seeking to accept the cash security in lieu of surety. The alleged offence is bailable in nature.

Accordingly, the bail application filed under section 478 of BNSS is hereby allowed subject to execution a self bond for a sum of Rs.25,000/- and the application filed U/sec. 490 of BNSS is also allowed and accused shall deposit a cash surety of Rs.2,000/- to the State.

1. The accused shall appear before the court in all hearing dates.
2. The Accused shall not commit similar offences.

Office is hereby directed to take bond of accused.

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 351 of BNSS 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 surviving 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. Meanwhile Counsel for accused filed application U/sec.145(2) of NI Act. Perused. Satisfied with the reasons therein. Allowed.

For cross examination of PW1 by 22-01-2026.

SD/- XXX 26-12-2025
C.J and JMFC., Sringeri.