

SAT PARKASH AND COMPANY Vs G C RAJ FABRICS PVT LTD

Present: Sh. Amit Luthra Adv, counsel for complainant.

Accused no. 2 on bail with counsel.

Proceedings qua accused no. 3 stayed

Accused no. 2 Raj Kumar Aggarwal appeared in the court. Heard on notice of accusation. Finding a prima facie offence under section 138 NI Act the accused no. 2 was served with notice of accusation. His plea was recorded. He pleaded not guilty and claimed trial. He also requested to cross-examine the complainant.

Heard. Keeping in view the nature of the case, the pre-summoning evidence led by the complainant, and the mandate laid down by the Hon'ble Supreme Court of India in case titled as **"Indian Bank Association Vs Union of India 2014(5) SCC. 590"** and also the provisions laid down under section 143(1) proviso II NI Act, this court is of the opinion that **this case is fit to be tried. (in accordance with the procedure for trial of summons cases laid down under Chapter XX Cr.P.C).** Besides, considering the written request of accused to cross-examine the complainant as recorded in his plea of defence, this court further allows that same in accordance with Section 145(2) NI Act and also in the interest of justice, principles of fair trial and opportunity of fair hearing. The necessity for calling a separate application under Section 145(2) NI Act stands dispensed with as the object of such an application is only to enable the accused to seek the permission of the court to cross-examine the complainant in order to rebut the case of the complainant. Now, to come up on 17.08.2026 for cross-examination of CWs by accused no. 2

Date of Order: 04.08.2026
Pankaj Viridi JW Gr-II

(Prabhjot Kaur Sandhu)
Judicial Magistrate - Ist Class,
Ludhiana
UID No . PB00739