

ORDER ON IA No.1

This is an application filed by the complainant under Section 142(2) proviso of the NI Act seeking condonation of 30 days' delay in filing the complaint.

2. In the application, the complainant has stated that due to opening ceremony of house, he could not meet his counsel in time as such 30 days delay has been caused in presenting the complaint. On these grounds, the complainant has prayed to condone the delay.

3. After presentation of the complaint, notice of I.A. No.1 was issued to the accused. The accused appeared through his counsel and did not file any objections.

4. Heard the learned counsel for the complainant. Perused the records. The point that arises for consideration is:

Whether the complainant has shown sufficient grounds for condoning the delay?

5. The above point is answered in the Affirmative, for the following:

REASONS

6. The complainant has filed the present complaint under Section 223 of B.N.S.S. for the offence punishable under Section 138 of the NI Act. The cheque issued by the accused was dishonoured, and thereafter statutory notice was served. The complainant has explained that the delay occurred because house opening ceremony of his house.

7. The reasons assigned by the complainant appear bonafide and satisfactory. There is nothing on record to disbelieve the explanation offered. Hence, this Court is of the considered view that the complainant has shown sufficient cause for condoning the delay. Accordingly, the point is answered in the Affirmative.

ORDER

I.A. No.1 filed by the complainant under Section 142(2) of the NI Act is hereby allowed.

For examination of
complainant, call on 04-08-2026

**Prl. Civil Judge & J.M.F.C,
Dharwad.**