

ORDER BELOW EXH.1 IN S.C.C. NO.4822/2026

Perused the contents of the complaint, affidavit of verification of the complainant and the documents annexed with the complaint. Heard to advocate for the complainant. From the material on record, the ingredients to constitute the offence punishable under section 138 of the Negotiable Instruments Act are *prima facie* disclosed. The complainant made *prima facie* case for the offence punishable under section 138 of the Negotiable Instruments Act. In view of the judgment of Hon'ble Supreme Court in **Sanzabij Tari Vs. Kishore S. Borcar** decided on **25/09/2025** there is no need of notice under Section 223 of BNSS. Therefore, issue process against the accused for the offence punishable under section 138 of the Negotiable Instruments Act R/o.**29.05.2026**

Kolhapur
Dated:-05-05-2026

(Pankaj K. Ahir)
3rd Judicial Magistrate First Class,
Kolhapur.