

MHMM180008152025



Summary Cases/50/2025

M/s Aimco Pesticides Limited Through its
authorized representative Mr Milind Vasant
Kaneri Vs. Sri Sumanta Sadhu Proprietor of
M/s Biswa Mohan Sadhu

IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS),
58TH COURT, BANDRA, MUMBAI
ORDER BELOW EXH.1

Read the complaint, verification. Perused the documents filed on record. In view of extensive Guidelines of Hon'ble Supreme Court in the case of *Sanjabij Tari Vs. Kishor S. Borcor, 2025, SCC Online S.C. 2069 dated 25.09.2025*, there is no necessity to issue notice under section 223 of BNSS 2023. Therefore, even though earlier notice is issued under section 223 of BNSS 2023 to the accused, there appears no legal necessity to wait for report of the notice as expeditious trial is warranted by law.

2. Heard advocate for the complainant.
3. The contents of the complaint are supported by affidavit. The cheque in question is issued by accused. The accused is not resident within the limits of jurisdiction of this court. However, during inquiry u/sec.202 of Cr.P.C. and u/sec.225 of BNSS 2023, it reveals that cause of action has arose within the limits of jurisdiction of this court. I found substance and grounds to proceed against accused on the basis of inquiry held and documents on record. Prima facie substance is found to proceed against accused for dishonour of cheque and failure to pay the cheque amount on demand. Hence, issue process against the accused for the offences punishable u/sec.138 of Negotiable Instrument Act on P.F.
4. The summons to accused be sent alongwith the copy of the complaint, all documents annexed to the complaint and copy of affidavit of complainant's evidence with specific remarks as to liberty of

accused to pay the amount of cheque in question on the first date of his appearance in the case as per the guidelines of Honourable Supreme Court.

5. Process R/o.21.01.2026.

Mumbai,
Dated : 07.10.2025

(M. P. Saraf)
Judicial Magistrate(First Class),
58th Court, Bandra, Mumbai.
J.O.Code – MH01362

CERTIFICATE

I affirm that the contents of this P.D.F file Order are same, word to word as per the original Order.

Name of Stenographer	: Mrs. Aditi Ravikiran Dalvi
Court	: Judicial Magistrate(First Class), 58 th Court, Bandra, Mumbai.
Dictated in open court on	: 07.10.2025.
Transcribed and Typed on	: 07.10.2025.
Order printed and Signed on	: 07.10.2025.
Order Uploaded on	: 07.10.2025.