

Ram Singh Vs Jagdeep Singh

Present Complainant with Sh. Manjeet Singh Adv

Heard on the point of summoning of accused. The present complaint has been filed by the complainant against above mentioned accused under section 138 of Negotiable Instrument Act on the allegations that in order to discharge his liability, accused issued **cheque No 766582dt.15.09.2020 of Rs1,80,000/- drawn on Punjab & Sind Bank Mundi Kharar** in favour of complainant, with an assurance that same will be honoured on its presentation. But on presentation of the said cheque, same was returned back unpaid with **memo dated 17.09.2020** mentioning the reasons **“Funds insufficient”** Thereafter **legal notice dated 30.09.2020** was sent to accused to make the payment through registered post. Accused did not repay the amount. Hence the present complaint was filed within the period of limitation.

In preliminary evidence complainant himself stepped into witness box and tendered his duly sworn amended affidavit Ex-Cw1/A along-with documents i.e. Cheque Ex.C1, Memo is Ex.C2,copy of Legal Notice Ex-C3,Postal Receipts are Ex.C4 & Ex.C5. Thereafter, complainant closed his preliminary evidence.

I have heard the Id. Counsel for the complainant and I have also gone through the complaint as well as preliminary evidence on record. From the evidence available on record, there are sufficient grounds to summon the accused under section 138 of Negotiable Instrument Act. Therefore, accused is ordered to be summoned under the offence on filing of PF/copy of complaint/RC for 5.02.2021

(Suman Pathak, PCS)
Sub Divn Judl Magistrate/Rajpura
UID:PB0316

Date of Order:02.12.2020

Sujata Rani Stenograhper III