

KAHS810009642022



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P.C.R. NO. 83/2022

IN THE COURT OF PRL CIVIL JUDGE AND JMFC.,

SAKALESH PURA

:Present:

SRI LAKSHMI NARASIMHA R.V, B.A.L., L.L.B.,

Prl. Civil Judge & JMFC., Sakaleshpura.

Dated : 25th Day of April, 2026

P.C.R. NO. 83/2022

Complainant : Sri. M.L. Lokesh

V/s

Accused : Sri. S.P. Ramu

ORDERS ON APPLICATION FILED BY THE
COMPLAINANT UNDER SECTION 142(B) OF N.I. ACT

This application is filed by the complainant, praying this court to condone the delay of 274 days in filing the complaint before the court.

2. In the affidavit the complainant has stated that the accused has issued the cheque for the purpose of discharge of debts and liabilities. The said cheque dishonored on 25.06.2021. He has also issued legal notice on 05.07.2021 to



the accused. The same was returned as not claimed on 13.07.2021. The complainant was unwell, and he had personal issues, hence he could not contact the counsel and give instruction about the present case well in time. Hence, he could not file the present complaint within time. As such prayed to condone the delay of 274 days in filing the present complaint.

3. In spite of service of notice, the accused has failed to appear before the court.

4. In order to substantiate his contention, the complainant got examined as CW-1. Whereas he has not produced any documents.

5. Heard arguments.

6. In light of the above contention, the following points that would arise for the determination:

1. Whether the application filed under section 142(b) of N.I. Act, is deserve to be allowed?



2. What order?

7. My findings on the above points as follows:

Point No.1: In the *Negative*

Point No.2: As per final order for the following;

REASONS

8. **Point No.1:** The complainant has filed the present private complaint under section 200 of Cr.P.C., against the accused for the offence punishable under section 138 of N.I. Act. The complainant has filed the present application along with the complaint. He has contented that he was unwell and had personal issues. Whereas the complainant has not produced any medical materials to show that he was unwell for a period of 274 days. Hence, this court is of the opinion that mere oral testimony of CW-1 does not inspire any confidence as to he was unwell for about nearly one year. He has not made out any valid reasons to condone the delay of huge 274 days in filing the



present case. Hence, considering the above facts, this court is opinion that the complainant has not made out any case or reasons to allow the application. Hence, this court is not inclined to allow the application by condoning the delay of 274 days in filing the complaint. Accordingly, point No.1 is answered in *Affirmative*.

8. **Point No.2:** In the result, I proceed to pass following;

::ORDER::

Application filed by the complainant under section 142(b) of N.I. Act is hereby dismissed.

In the result the case is also dismissed.

[Dictated to the stenographer directly on computer and then corrected by me and thereafter pronounced in the open court on this the 25th day of April, 2026]

[Lakshmi Narasimha R.V,]
Prl. Civil Judge and JMFC,
Sakaleshpura.