

ORDER

The complainant has filed private complaint U/Sec.200 Of Cr.P.C. against accused for the offence U/sec.138 of Negotiable Instrument Act.

It is case of the complainant that the accused has issued cheque to him towards legally recoverable debt. In support of his case, the complainant has filed affidavit in lieu of his sworn statement. The complainant has got marked cheque as per Ex.P.1. The complainant has also got marked endorsement issued by bank as per Ex.P.2. This prima facie indicates that cheque issued by accused has been dishonoured. The complainant has also got marked legal notice as per Ex.P.3 and Postal Receipt as per Ex.P.4. Postal acknowledgement Ex.P.5. The documents prima-facie would indicate that the complainant has issued legal notice to accused. Therefore considering the allegations made in the complaint and documents produced on record, at this stage I am of the opinion that complainant has made out ground to proceed against accused in the present case for the offence U/Sec.138 of N.I.Act. In the result the following:

ORDER

Register Criminal Case against accused in
Register No.III for the offence U/Sec.138 of N.I.Act.

Issue S/S to accused, R/by 07-09-2026.

Sd/-

Civil Judge & JMFC,
Byadgi.