

ಪಿ.ಸಿ.ಆರ್. ನಂಬರ್: 2/2024

ಪಿ ಡಬ್ಲ್ಯೂ: 1

ದಿ: 22-11-2025 ರಂದು ಸಾಕ್ಷಿಯನ್ನು ಕರೆಯಿಸಿ ಪ್ರಮಾಣ ವಚನ ಬೋಧಿಸಲಾಯಿತು.

ಮುಂದುವರೆದ ಪ್ರಮಾಣ ಪೂರ್ವ ಹೇಳಿಕೆ: ಪಿಯಾರ್‌ದಿದಾರ ಪರ ಶ್ರೀ ಎ ಕೆ ಟಿ ವಕೀಲರಿಂದ:

ಈ ಹಿಂದೆ ನಾನು ನನ್ನ ಪುರ್ವಾಣ ಪೂರ್ವ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ. ಈ ದಿನ ಈ ಕೆಳಕಂಡ ದಾಖಲಾತಿಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿರುತ್ತೇನೆ.

ಅಸಲು ದಾವೆ ಸಂಖ್ಯೆ 49/14 ರಲ್ಲಿನ order sheet ನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು ಅದನ್ನು ನಿ ಪಿ 31 ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

ಆದುದರಿಂದ ಆರೋಪಿ ವಿರುದ್ಧ ಸೂಕ್ತ ಕಾನೂನು ಕ್ರಮ ಜರೂಗಿಸಲು ವಿನಂತಿ

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಕ್ತ ಲೇಖನದಂತೆ ಬೆರಳಚ್ಚು ಮಾಡಲಾಯಿತು)

ಓ. ಹೇ. ಕೇ. ಸರಿ. ಇದೆ.

ಪ್ರ. ದ. ನ್ಯಾ. ದಂ. ಸೇಡಂ.

PCR 36/2025

Case called out. Complainant present. Counsel for complainant are also present. The complainant has filed affidavit in lieu of sworn statement and examined himself as PW-1. The complainant also got marked Ex.P-1 to P-6. Perused the complaint.

The complainant has filed the present complaint against the accused for the offence punishable U/S.138 Of N.I Act. In support of the complainant's case, sworn statement of complainant has been recorded. The complainant has also produced the documents in support of his case at Ex.P1 to 6, Ex.P.1 is the check dated. 11-06-2025, Ex.P.2 return memo dated 24-06-2025, Ex.P.3 is office copy of legal notice dtd.09-07-2025, Ex.P.4 is postal receipts. Ex.P.5 sealed postal envelope and Ex.P-6 postal acknowledgment report,

Perused the material available on record. The material from record discloses that the cheque has been produced for encashment within time. The cheque is not encashed for the **reasons of funds insufficient** as per the bank endorsement. The complainant caused the legal notice to the accused after dishonour of the

cheque receiving the bank endorsement within the time. The complainant has been filed within the prescribed time under the statutory period and thereby the complainant prima facie made out all statutory ingredients to attract the offence punishable U/s. 138 Of NI Act. Therefore, this court is of opinion that the complainant has made out prima facie case U/S. 138 of the N.I Act Hence, I proceed to pass the following.

**ORDER**

Register the case as a Criminal Case in Reg.No.III against the accused for the offence punishable U/s.138 of N.I Act.

Issue summons to accused through RPAD U/Sec.227 of BNSS-2023 if RPAD and PF are paid and also to furnish the copy of complainant along with summons returnable by 25-10-2025

Sd/-

**JMFC, Sedam.**