

The present complainant is filed a complaint under Section 223 of BNSS against the accused for the offence punishable under Section 138 of NI Act. Sworn statement of complainant is recorded. The complainant has also produced cheque and other relevant documents to demonstrate that the accused has committed an offence punishable under Section 138 of NI Act. The said documents are marked at Ex.P1 to Ex.P5(a).

Perused. Complaint, sworn statement, affidavit and documents produced by the complainant. it appears that the complainant has complied all the ingredients of Section 138 of NI Act and it appears that there are sufficient prima facie materials to proceed against the accused for the offence punishable under Section 138 of NI Act. Hence, the following;

ORDER

Office is directed to register the case against the accused for the offence punishable under Section 138 of NI Act.

In lieu of the observation made by Hon'ble Apex Court in ***Indian Bank Association and others Vs Union of India and another reported in (2014) 5 SCC 590***, the sworn statement of the complainant is hereby treated as his examination in chief.

Issue summons to accused, if P.F. Paid.

Office is directed to send the copy of sworn statement along with copies of documents.

Returnable by 24.06.2026

I Addl. Civil Judge & JMFC.,
K.R.Pete.