

## **PCR No. 79/2026**

Complainant and advocate for complainant Smt.VL., for LSS are present. Heard, Perused the records. NI Act is the special Act and hence Cr.P.C and BNSS are not applicable. Hence, cognizance taken for the offences punishable u/s 138 of NI Act. Complainant filed sworn statement and got marked documents Ex.P.1 to 5. Heard the arguments of Smt.VL., for LSS advocate and perused the records. Hence, I proceed to pass the following.

### **ORDER**

The private complaint is filed by the complainant U/sec. 223 of BNSS r/w/s 142 of NI Act alleging offence punishable U/sec. 138 of Negotiable instruments Act by the accused. Complainant filed his sworn statement on oath and got marked Ex.P.1 to 5 through complainant. The averments in sworn statement of complainant are corroborated with contents of complaint and prima facie it shows that the accused issued cheque in favour of complainant towards legally enforceable debt. The materials placed on record by the complainant at this stage discloses that the accused has failed to comply with legal notice and complainant has complied with mandatory requirements

U/sec. 138 of N.I Act. Hence, there are sufficient grounds to proceed against accused for offence punishable U/sec. 138 of N.I Act. Hence, office is hereby directed to register the case as CC in register No.III against the accused for the offence punishable U/sec. 138 of Negotiable Instruments act and issue summons to accused returnable by RPAD by 09.07.2026.

Office is hereby directed to keep cheque in safe custody.

1<sup>st</sup> Addl. Senior Civil Judge &. JMFC.,  
Nagamangala.