

Accused by Name Sri. Syed Zameer Pasha S/o Munawara Pasha, Major, R/at. Door No. 109, ITI, Behind New Baba Market, Mysuru is produced before the Court through PC No.04 of K.R.Nagar, P.S. under nonailable warrant at about 03.15 P.M.

On enquiry the accused submits he has arrested at 11.30 P.M today. Further, he submits that, the police have not given any illegal treatment during his custody.

Sri. SHL., Advocate files vakalath for accused along with bail application U/s 436 of Cr.PC prays for release the accused on bail.

Perused private complaint it appears that, the complainant has filed this complaint alleging that, the accused committed an offence punishable Us 138 of NI Act.

The offence punishable under Section 138 of NI Act isailable in nature. Accordingly, accused is released on bail subject to the condition that, he shall execute personal bond of Rs.10,000/- with one surety for the like sum and shall appear before this court on all hearing dates.

The accused files application **Under Section 445 of Cr.PC** and seeking permission to deposit the cash surety for enlarging bail. Hence, the accused permitted to deposit sum of **Rs.5,000/-** as cash surety.

Substance of accusation stated to the accused and he asked whether he pleads guilty or has any defence to make. However, the accused pleads not guilty and submits he has defense to make.

Statement of the accused is recorded U/s 313 of Cr.P.C. Accused has chosen to lead his evidence.

The sworn statement of the complainant filed by him during per-summoning stage is considered as the evidence of the complainant as per the decision of the Hon'ble Supreme Court rendered in the case of **Indian Bank Association and others versus Union of India and others** (2014) 5 SCC 590 and also as per the observations made by our Hon'ble High Court in the case of M/s. Mesh Trans Gears Private Limited versus Dr. R.Parvathreddy ILR 2014 KAR 5237. Though, there is no stage and necessity to mark the documents. The cheque bearing No.325900 date 10.10.2023 for Rs.4,50,000/- drawn on State Bank of India, K.R.Nagar branch is marked as Ex.P-1, sign of accused as Ex.P-1(a), Two Bank endorsements is marked as Ex.P-2 and 3, Legal notice is marked as Ex.P-4, Two postal receipts are marked as Ex.P-5 & 6, Two unserved postal covers are marked as Ex.P-7 and 8 and Reply Notice marked as Ex.P-7(a) and 8(a) for the purpose of identification and also to enable the accused to know about the documents relied by the complaint.

Accused has not filed U/Sec.145(2) of N.I.Act seeking permission for cross examination of PW-1. Hence, case is posted for defense evidence.

In view of granting bail, NBW issued against accused is recalled.

For defense evidence, call on 26.11.2025.

Sr. Civil Judge and JMFC.,
K.R.Nagar.