

Accused present. Sri SSR advocate filed application bail application U/s 436 of Cr.P.C on behalf of the accused.

Accused is released on bail subject to the condition that, he shall execute personal bond of Rs.50,000/- along with one surety for the like sum and shall appear before the court on all hearing dates.

Surety by name Gurushanthaiah S/o Late Siddalingaiah, Aged about 55 years R/at Honnashettihalli village, Dandiganahalli hobli, C.R.Patna taluk is present. He has sworn his affidavit and produced his RTC extract bearing Sy No.82/1 of Noranakki village, C.R.Patna taluk. Perused. Being satisfied surety is accepted.

Office to take Bond for Rs.50,000/-.

NBW is hereby recalled against the accused. Issue intimation to the concerned.

Substance of accusation along with the entire particulars of the complaint are stated to the accused. Accused pleaded not guilty and submitted that he has defense to make.

L/C for the complainant filed memo treating the sworn statement evidence as the evidence of the complainant for the trial of this case. Hence, 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 (Criminal Petition No.8943 of 2010 dated 22.03.2013). Though, there is no stage and necessity to mark the documents, one cheque marked as Ex.P.1, signature of the accused as Ex.P.1(a), One Bank endorsement is marked as Ex.P.2, copy of demand notice is marked as Ex.P.3, Two postal receipts are marked as Ex.P.4 and 5, One unserved postal cover as Ex.P-6, Delivery reportt as Ex.P-7, Statement of account of complainant as Ex.P-8, Reply notice of accused as Ex.P-9, Application to post office as Ex.P-10, One postal endorsement as Ex.P-11 and One postal cover of reply notice is marked as Ex.P.12 for the purpose of identification of the documents.

Statement of the accused is recorded under Section 313 Cr.P.C. Accused has chosen to lead his evidence.

Accused has not filed u/s 145(2) of NI Act seeking permission for cross examination of PW-1. Hence, cross examination of PW-1 is taken as nil.

For defense evidence by 28/06/2022.

Sr CJ and JMFC.,
K.R.Nagar.