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**IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC.,
SHIKARIPURA**

**PRESENT: Sri.B.N.RAMESH BABU, B.A., LL.M.,
Senior Civil Judge and J.M.F.C.,
Shikaripura.**

DATED THIS THE 09th DAY OF JUNE, 2026

C.C.No.16/2025

COMPLAINANT : Sri.Rudramani Swamy S/o
Boodiswami, Aged about 38
years, R/o Tharalaghatta Camp,
Shikaripura Taluk, Shivamogga
District.

(By Sri.P.J.V., Advocate)

-V/s-

ACCUSED : Smt.Meenakshi P. W/o
Panchaksharayya, D/o
Veerappayya, Aged about 30
years, R/o Opposite Anjaneya
Temple, Tharalaghatta Village,
Shikaripura Taluk, Shivamogga
District.

(By Sri.K.S.S., Advocate)

ORDERS ON APPLICATIONS UNDER SECTION 94 OF B.N.S.S.

The counsel for the complainant has filed the present application under Section 94 of BNSS praying to permit the complainant to produce certain documents.

2. In the application it is stated that, the complainant has filed the present case against the accused for the offence punishable Section 138 of NI Act. In this case, now the case is posted for further chief of PW.1. To adjudicate the matter on merits, documents belonging to the complainant is to be produced to prove his income. The said documents are very much necessary to adjudicate the matter on merits, as such the same are to be marked as complainant's side exhibits. Hence, prays to allow the application.

3. On the other hand, the accused has filed an objection to the application stating that, the documents produced by the complainant with respect to Swami

Vivekananda Educational Trust are not connected with the present case. Further, the documents produced by the complainant with respect to Channamallikarjuna Educational Trust are also not relevant to this case and the other documents produced by the complainant relating to the Axis Bank Statement are also not connected with the present case. It is further contended that, the said documents are produced before this Court only to harass the accused and not for proper adjudication of this case. Hence, the accused has prayed to reject the application.

4. Heard the counsel for the complainant and accused and perused the documents on record.

5. The points that arise for my consideration are:

1. Whether the complainant has made out sufficient grounds to permit him to produce the documents by allowing the application filed by him?

2. What order?

6. My answer to the above point are:

Point No.1 : In the Affirmative

Point No.2 : As per the final order;
for the following:

REASONS

7. **POINT NO.1**: I have perused entire case. In this case, on perusal of materials available on record it discloses that, the complainant has filed the present case against the accused for the offence punishable 138 of NI Act. After filing of the complaint, the sworn statement of the accused was recorded and cognizance was taken for the offence punishable under Section 138 of NI Act and summons was issued to the accused. Thereafter, the accused appeared through his counsel and was enlarged on bail. Thereafter, the complainant himself was examined as PW.1 and produced some documents. When the case was posted for further chief-examination of PW.1, at that time the complainant has filed the present application seeking permission to produce certain documents. On the other

hand, the accused has filed the objections to the application contending that, those documents are not relevant to this case.

8. But, in the present case, admittedly, the complainant has filed the present complaint against the accused for the offence punishable under Section 138 of NI Act and now he wants to produce certain documents to prove his financial capacity. On the other hand, the accused has objected the same. But, in this case if those documents are produced before this Court and marked as exhibits, the accused will also get right to cross examine the complaint with regard to the said documents and disprove the case of the complainant. On the other hand, if the application is rejected and complainant is not permitted to produce the documents, he will lost his right to prove his case. Hence, at this stage, the complainant has made out sufficient grounds to allow the application.

Accordingly, I answer the point No.1 in the Affirmative.

9. **POINT NO:2:** In view of my answer on point No.1, I proceed to pass the following:

ORDER

The application filed by the complainant under Section 94 of BNSS is hereby allowed.

The documents produced by the complainant are taken on record.

*(Dictated to stenographer, directly on computer, computerized by her then corrected and then pronounced by me in the open Court on this the 09th **Day of June 2026**)*

(B.N.RAMESHBABU)

Senior Civil Judge & JMFC.
Shikaripura.

