

Case advanced. The complainant has filed his sworn statement along with the complaint. The personal presence of complainant not insisted and his written affidavit is treated as his sworn statement and Ex.P 1 to Ex.P-6 marked by considering the observation of Hon'ble Apex Court in decisions reported in Indian Bank Association & ors vs. Union of India((2014) 5 SCC 590 and Meters and Instruments Pvt Ltd vs. Kanchan Mehta, ( (2018) 1 SCC 560. I have scrutinized the complaint, sworn statement of the complainant and material placed on record by the complainant. It is in order. It prima-facie discloses that the cheque drawn by the accused was dishonoured by the bank and the accused failed to pay the cheque amount despite demand notice. The material on record fulfills the mandatory requirements of Sec.138 of N.I.Act. There are sufficient grounds to proceed against the accused for the offence under Sec.138 of N.I.Act. Accordingly, I pass the following;

### **ORDER**

Exercising power conferred U/Sec.204 of Cr.P.C, the office is directed to register the case in Criminal Case register against the accused for the offence punishable **U/Sec.138 of N.I.Act.**

Issue Summons to accused by RPAD., if PF and copy of complaint and affidavit is furnished.

For return of Summons.

Call on: 30.12.2022

**C.J. & JMFC., Mundargi.**