

PCR 104-26

Case called out.

Complainant and his counsel present. Complainant filed sworn affidavit in lieu of his sworn statement and examined as PW-1 and got marked document as EX. P.1 to EX. P.5.

Further, in view of the decision of **Hon'ble Supreme Court in (2014) 5 SSC 590 in Indian Bank Association & Ors. V/s Union of India & Ors**, the sworn statement of complainant shall be treated as his examination-in-chief. Perused the complaint, sworn statement and the documents filed in support of Complaint. At this stage there are sufficient grounds to proceed against the accused person for the offence punishable under section 138 of N.I act.

The Sworn statement will be treated as chief examination of Complainant during trial. Hence, I proceed to pass the following:

ORDER

Cognizance punishable for U/s. 138 the of offence NI Act against the accused taken.

Office to register the criminal case against the accused in Register No. III for the offence punishable U/sec. 138 N.I.Act.

Issue summons to the accused through RPAD, if P.F paid and RPAD furnished.

Complainant is hereby directed to furnish RPAD covers forthwith the office.

Returnable by 22.04.2026.

Sd/-
C/c Prl. Civil Judge & JMFC.,
Honnavar.