

PCR TO CC

The complainant present and filed his affidavit in lieu of sworn statement and got marked 7 documents as Ex.P1 to P7. Heard the arguments kept by for orders.

ORDERS U/sec.204 of CrPC.,

This is a private complaint filed U/s 200 of Cr.P.C., for the offences punishable U/sec. 138 of Negotiable Instrument Act.

The sworn statement of the complainant is recorded by way of affidavit got marked 7 documents as Ex.P1 to P7.

His sworn statement is corroborated the contents of complaint and he has produced the cheque issued by the accused and other material documents. All these facts which are sworn by the complainant in his affidavit and the documents produced, prima facie establishes that the accused has committed an offence punishable U/sec.138 of NI Act. Therefore, the materials placed

on record by the complainant at this stage are sufficient to proceed against the accused for the offences punishable U/sec.138 of NI Act. It is clear from the materials placed on record, the complainant that the accused failed to make good the cheque amount even after issuance of legal notice. Further, the complaint is filed within the limitation as provided under the Act. The complainant has complied with all the mandatory requirements of Sec.138 of the NI act to maintain the complaint against the accused. Therefore, I am satisfied that there are sufficient materials on record at this stage to proceed against the accused. Accordingly, I proceed to pass the following:

ORDER

Register the private complaint as criminal case against the accused for the offence punishable U/sec.138 of Negotiable Instrument Act.

Issue process against the accused
through RPAD if P.F. is paid By 28-12-2022

**Addl. Civil Judge & JMFC.,
Hosadurga.**