

Case called out. Complainant and his counsel present. Complainant examined himself as C.W.1 and got marked Ex.C.1 to 7.

**ORDER**

The complainant has filed this complaint against the accused under Section 223 of BNSS and Sec. 142 of NI Act for the offence punishable under Section 138 of N.I.Act. In the complaint it is alleged that accused has issued a cheque bearing number 482193 dated 24-10-2024 for a sum of Rs.2,00,000/-

drawn on State Bank of India, Sirsi Road, Mundgod branch in favour of the complainant. However said cheque returned unpaid for the reason 'Funds Insufficient'. Such being the case he complied the statutory requirements as per Section 138 of the Act and filed this complaint.

In support of the complaint, the complainant has given his sworn statement and has produced original cheque, cheque deposit receipt, 2 bank endorsements, copy of legal notice, postal receipt and postal acknowledgment.

I have carefully perused the documents on record.

The Hon'ble HC of Karnataka in the decision of ***Hanumesh S/o. Sharanappa Karanagi and another V/s., Jayaprakash Patil Kyadigeri in Crl.P.No.201605/2024*** has observed that ***accused shall be accorded with the opportunity of being heard before proceeding to take cognizance of the offence alleged. In view of the same***, this Court proceeds to pass the following:

**ORDER**

Issue notice to the accused if PF, copy of the complaint and sworn statement are furnished.

R/by 24-06-2025.

-Sd-

**Civil Judge and JMFC,  
Mundgod.**