

IN THE COURT OF THE II ADDL. CIVIL JUDGE AND J.M.F.C.,
KUNDAPURA.

C.C.No. 1603/2023

Aishwarya Finance Corporation (R)
Kandlur, Kundapura Taluk,
- a partnership firm represented
by its Managing partner -
Miss. Mohini Shettigar, 49 years,
Daughter of Nagesh Shettigar,
Moodkeri, Basrur Post,
Kundapura Taluk – 576211. Complainant

-Vs-

Sachidananda Hegde, 51 years,
S/o Surendra Hegde,
R/o 2/77, Yadyadi-Mathyadi Village
Kundapura Taluk
Now at: Sachidananda Hegde,
Flat No. 105, 1st Floor, Sumedha Apartments,
N. H., Ankadakatte, Post : Koteshwara,
Kundapura Taluk Accused

**I Smt. Rohini D. II Addl. Civil Judge & J.M.F.C. Kundapura
hereby charge you the accused above named as follows:**

ACCUSATION

That the during the course of regular business, complainant lent a loan of Rs. 5,00,000/-under the Pronote Loan A/C No. 77/14 on 30-10-2014 tot he accused person. He agreed to pay the said loan amount with interest at 16% per annum. The accused person has executed Demand Promissory Note on 30-10-2014. He had acknowledged the debt on 14-03-2015, 20-05-2015, 21-03-2016 and 21-11-2016 by making payment of Rs. 92,274/- towards interest and Rs. 3,80,000/- towards Principal amount only. But he had not repaid the entire

amount borrowed by him. When the Managing Partner of the complainant asked for the repayment of the loan amount the accused person issued a cheque drawn on ICICI Bank, Kaundapura Branch, cheque bearing No. 117337 dated 28-03-2019 for Rs. 1,67,070/-, in favour of complainant. The complainant presented the said cheque for encasement through the Vijaya Bank, Kandloor branch, it was returned to the banker of accused on 30-03-2019 with an endorsement “**Funds insufficient**”. The complainant issued notice dated 16-01-2019 and the notice was served upon you on 20-05-2019, you have neither replied nor paid any portion of the dues to the complainant. You knowing fully well that your account was not having money to honor the said cheque and issued the same and thereby committed an offence punishable under section 138 of Negotiable Instruments Act.

Q. 1: Did you understand the substance of accusation read over to you?

Ans:

Q. 2: Do you plead guilty or have any defense to make?

Ans:

(Certified that the above plea is read over and explained to the accused in the language known to him in Kannada and the contents of the above plea are true and correct)

Date: 24-02-2025

II Addl. Civil Judge and J.M.F.C.,
Kundapura.