

Complainant is present. The complainant filed an affidavit as a Sworn Statement as per decision reported in (2014 5 SC Cases 590 in the case of Indian Bank Association and other V/s Union of India and others and ILR 2014 Kar 5237 M/s Mesh Trans Gears Pvt. Ltd. Vs Dr. R Parvathareddy, the affidavit filed by the complainant is treated as Sworn statement Exhibits are got marked Ex.P.1 to P.5.

Heard counsel for complainant. Perused the documents, affidavit. It appears the complainant Prima facie made out case against accused under Section 138 of Negotiable Instrument Act. The complainant complied the provision of 238(a) to (c) of N.I Act. It also appears the cheque has been issued towards discharge of legally Enforceable Debt or other liability. There is no delay.

Hence, there are sufficient material at this state to issue process against accused accordingly following:

ORDER

Cognizance is taken. Office to register Criminal Case U/Sec.204 of Cr.P.C issue summons to accused for the offence punishable U/Sec. 138 of N.I . Act.

Sd/-

CJ & JMFC Hadagali.

